

**THE IMPLEMENTATION OF AFFIRMATIVE ACTION
POLICY WITHIN THE PRETORIA DISTRICT OF THE
SOUTH AFRICAN POLICE SERVICE**

by

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I declare that **THE IMPLEMENTATION OF AFFIRMATIVE ACTION POLICY WITHIN THE PRETORIA DISTRICT OF THE SOUTH AFRICAN POLICE SERVICE** is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

.....
SIGNATURE
(MR P HLONGWANE)

.....
DATE

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This dissertation is dedicated to my grandmother, Annah Mamaila Hlungwani and my dear mother, Esther Mphepho Hlongwane who implanted a seed of determination and patience in me. I also want to express my sincere gratitude to my wife, Busisiwe for being supportive throughout my studies. My final dedication goes to my sons, Ntiyiso and Matimu.

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ABSTRACT

The primary aim of this study was to investigate the implementation of the affirmative action policy within the Pretoria district of the South African Police Service. There is a need to examine and understand how the SAPS remove unfair discrimination in recruitment and selection processes in the implementation of affirmative action measures. Prior to 1994 the South African Police Force was male dominated and racism was fully institutionalised. Black people (Africans, Indians and coloureds), women and disabled people were marginalised and denied appropriate employment and advancement opportunities. The focus of the study was to identify challenges or problems encountered by the SAPS during the implementation of affirmative action policy; propose the strategies through which the SAPS can address discrimination in personnel staffing processes; and to assess and describe the criteria utilised by the SAPS in identifying the beneficiaries of affirmative action. The study includes the survey of international and national literature on the implementation of affirmative action.

The study was conducted at 35 police stations within the district of Pretoria. The survey questionnaires were distributed to the respondents whereby three hundred and seventy (370) returned completed questionnaires, meeting the required sample figures. The respondents were selected by using a quota sampling. Qualitative research methodology was utilised in the interpretation and analysis of data. In addition, data was also collected through the documentary study.

The major findings of this study illustrated that job requirements and responsibilities are seldom adjusted to accommodate disabled people. The communication of affirmative action policy is seen by respondents as being problematic. Respondents believe that affirmative action discriminates against certain groups within the disadvantaged groups. The research has divulged that the usage of interviews and involvement of supervisors in interview panels would minimise unfair discrimination in the allocation of promotional positions. Diversity management is not fully implemented to support affirmative action. People of all races are not employed to positions on the basis of their qualifications, experience and competencies as they deserve. The SAPS does not consider academic qualifications as criterion in the allocation of promotions.

KEY WORDS

Affirmative action

Designated groups

Equal opportunity

Personnel staffing

Policy implementation

Recruitment

Scheduled Castes

Selection

Unfair discrimination

South African Police Service (SAPS)

ACRONYMS

AB	: Afrikaner Broederbond
ANC	: African National Congress
BBBEE	: Broad Based Black Economic Empowerment
BEE	: Black Economic Empowerment
BMF	: Black Management Forum
EIC	: Employment and Immigration Canada
FELDA	: Federal Land and Development Agency
IBM	: International Business Machines
MCA	: Malayan Chinese Association
MIC	: Malayan Indian Congress
NEP	: New Economic Policy
NSFAS	: National Student Financial Aid Scheme
OFCCP	: Office of the Federal Contract Compliance Programmes
PAC	: Pan Africanist Congress
RDP	: Reconstruction and Development Programme
SACP	: South African Communist Party
SAPS	: South African Police Service
SPSS	: Statistical Package for the Social Sciences
TEFSA	: Tertiary Education Fund of South Africa
UMNO	: United Malays National Organisation
USA	: United States of America

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CHAPTER 1

GENERAL INTRODUCTION

1.1 Introduction

The research focuses on the implementation of affirmative action policy in the Pretoria district by the South African Police Service (SAPS). It is imperative to understand first what affirmative action is and the processes involved in its implementation. In answering the question of what affirmative action is, section 1.5 of the White Paper on Affirmative Action in the Public Service (1998) define affirmative action as “the additional corrective steps which must be taken that those who have been historically disadvantaged by unfair discrimination are able to derive full benefit from equitable employment environment”. According to Qunta (1995:1) affirmative action is “a systematic, planned process whereby the effects of colonialism and racial discrimination are being reversed in all areas of life”. Section 15 of the Employment Equity Act 55 of 1998 regards affirmative action as “measures designed to ensure that suitably qualified people from designated groups have equal employment opportunities and are equitably represented in the workforce of a designated employer”. From the three complementary definitions of affirmative action it is clear that the past racial discrimination should be addressed by ensuring that the historically disadvantaged people are employed in the right positions provided they are suitably qualified for those positions. Consultation with the employees and trade unions, communication, awareness and commitment are pivotal steps in the implementation of affirmative action (Sunnyside SAPS 2010:2). Secondly, it is important to indicate the demarcation of the area which is targeted for research.

Pretoria is situated in the northern side of the Gauteng province and its population is estimated at 2,2 million people. The SAPS in Gauteng is divided into seven main policing areas which are Vaal Rand, West Rand, East Rand, North Rand, Pretoria and Soweto and Johannesburg. Pretoria is the largest district of all the areas indicated above. The Pretoria district in Gauteng is demarcated into 35 police stations, which are Bronkhorstspuit, Boschkop, Cullinan, Ekangala, Welbekend, Garankuwa, Akasia, Mabopane, Pretoria North, Soshanguve, Mamelodi West, Eersterust, Kameeldrift, Mamelodi East, Silverton, Sinoville, Pretoria Central, Atteridgeville, Erasmia, Hercules, Laudium, Pretoria West, Wierdabrug,

Wonderboompoort, Sunnyside, Brooklyn, Garsfontein, Lyttleton, Pretoria Moot, Villeria, Dube, Hammanskraal, Loate and Rietgat (SAPS 2011). These police stations are also grouped into small manageable areas referred to as clusters. The clusters are headed by an officer holding the rank of Major-General.

The SAPS comprises employees who are employed in terms of two different legislations, that is the South African Police Service Act 68 of 1995 and the Public Service Act 103 of 1994. Members of SAPS appointed in terms of the SAPS Act 68 of 1995 forms the dominant group compared to those who are employed in terms of the Public Service Act 103 of 1994. The Pretoria district has approximately 7 474 employees who are employed in terms of the South African Police Service Act 68 of 1995.

This research aims to provide the SAPS with possible ways to eradicate discrimination and implement affirmative action when personnel staffing is undertaken. Clarity is provided on the ways in which personnel can be recruited and appointed successfully with due regard to the precepts of redressing racial imbalances and due consideration of individual capacity to perform given duties.

In order to understand the reasons for undertaking this research, the background and rationale including motivation for the study are indicated. Objectives and a problem statement are provided in order to guide the research. The area within which the research is undertaken is identified. The research methodology that has been adopted in this regard is qualitative research which provides descriptive and explanatory analysis. Data collection methods are succinctly delineated, terminology explained and defined adequately. The sequence of chapters of the proposed study concludes this chapter.

1.2 Background and rationale

Prior to 1994 the South African Police was fragmented into 11 policing agencies where different uniforms, policies and legislation were in effect. The former policing agencies existed in the former independent homelands, Transkei, Ciskei, Venda and Bophuthatswana as well as the former self-governing states, QwaQwa, KwaZulu-Natal, Lebowa, Kangwane, KwaNdebele and Gazankulu (Van Graan 2005:18; Montesh 2010:57–58). Whites and blacks were recruited and appointed to serve within their racial divides which means that blacks would serve black areas only and white people would serve whites only as well (Erasmus,

Swanepoel, Schenk, van der Westhuizen, Wessels 2005:172).

According to Montesh (2010:57) and Newham, Masuku and Dlamini (2006:15) during the apartheid dispensation the African, Indian and Coloured police officials were regarded as less superior to their white colleagues. There was no career development for the coloured, African and Indian police officials, and they also received thirty per cent (30%) less remuneration in comparison to their white counterparts on the similar rank. The personnel staffing process in the public sector in South Africa had been fraught with unfair discrimination before the advent of the democratic dispensation in 1994. Bendix (2007:419) points out that due to the history of segregation in South Africa, a huge number of people were not given equal opportunities of employment and advancement. Policies regulating personnel staffing processes did not consider population representation and rather favoured white males over other groups of the South African society.

Discrimination policies such as job reservation had great impact on the recruitment and selection practices in the public sector, for instance, Section 77 of the Industrial Conciliation Act 28 of 1956 was regarded as 'statutory job reservation' (Nel 2001:53–54). Innes (1995:13) states that the job reservation policy made it possible to prevent blacks from performing a wide range of jobs due to their skin colour irrespective of whether or not they possessed the requisite skills to perform the job. Racial segregation was institutionalised in government administration in such a way that non-whites were regarded as incompetent to perform successfully in professional and administrative positions (Erasmus et al 2005:171–172). Serious shortage of personnel was encountered when the whites were no longer interested in performing clerical jobs; As a result, remedy was in the absorption of non-whites in order to address the shortage of workers (Erasmus et al 2005:171–172).

It should be understood that prior to 1961, recruitment and selection of non-whites did not take place with the aim of balancing racial representation in the public service. Shortage of skilled white males forced employment practitioners in the public sector to change their perceptions regarding women, blacks, coloureds and Indians in the society. Montesh (2010:58) reveals that the South African Police Force appointed the white females as police officials for the first time in its history in 1972 which was followed by the recruitment of a group of African, Coloured and Indian policewomen in 1982. These women were mainly appointed to perform administrative duties and could not compete with men for promotions

in the functional sphere of policing services. The researcher argues that women were discriminated against with regard to their job functions or responsibilities and opportunities to advance were curtailed by unfair regulatory practices.

In support of Montesh's view above, Erasmus et al (2005:173) state that women did not easily compete with men for existing posts in the public sector and white women were only considered as candidates for lower level positions. Thus, women and the disabled people were not sufficiently accommodated. Objectivity, fairness and racial balance in personnel staffing process were non-existent. Newham et al (2006:7-9) state that the former South African Police was a pure racist organisation perpetuating segregatory laws and denied skills and education to the majority of the people. The South African Police Force was a male dominated organisation and did not reflect the composition of the people of South Africa. According to Fuhr (1993:6) the need to revoke the imbalances of the past through affirmative action measures inspires fear in the minds of most white managers and supervisors since they associate it with reduction of standards and reverse discrimination. He accentuates the fact that racism within organisations should be openly discussed and removed without any fear or favour. The SAPS is not an exception in this regard.

The advent of democratic dispensation in 1994 spelt out a new dawn for personnel staffing processes in the SAPS, since the previous recruitment and selection policies lacked legitimacy and credibility. The eleven separate police agencies were ultimately integrated into a single police service after 1994 (Montesh 2010:61). According to Van Graan (2005:52) the new system brought about change with regard to promotional policies and other human resource policies. Several statutes were enacted with the aim of rectifying the employment injustices of the past discriminatory policies. Amongst other Acts that were proclaimed are the Public Service Act 103 of 1994 and the Employment Equity Act 55 of 1998. Section 195 (1) (i) of the Constitution of the Republic of South Africa of 1996 states that "public administration must be broadly representative of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to redress the imbalances of the past to achieve broad representation". The abovementioned section should continuously inform and guide the personnel staffing process in public institutions.

1.3 Motivation

Recruitment, selection and appointment in the SAPS should not only be based on the implementation of affirmative action with a view of attaining broad representation of South African citizens but also on the elimination of discriminatory selection practices. The SAPS units and stations around Pretoria are earmarked for this research since the researcher is residing in Soshanguve, which is situated in the north-western side of Pretoria area and has been working for SAPS for the past eight years, holding a rank of constable. The researcher joined the SAPS on 10 January 2005. Personal observations were made since joining the SAPS with the aim of understanding how recruitment, selection and appointment are conducted and managed in the SAPS.

Early in March 2010 the researcher developed more interest in researching the implementation of affirmative action policy within the district of Pretoria in the SAPS. This was after the researcher had fully familiarised himself with human resource policies of the SAPS governing recruitment, appointment, promotion, skills, education and training. The researcher was also inspired further to conduct research on affirmative action policy after he read the article titled “Landmark judgment on police affirmative action policy” in the *Pretoria News* dated 2010-02-27. The article relates to the verdict reached by the Johannesburg Labour Court regarding the white female captain who was denied a position after she had applied for the superintendent (now lieutenant colonel) position within the SAPS. The article goes on to state that there are eight cases pending against the SAPS with respect to the issue of unfair discrimination and implementation of affirmative action policy (Tau & SAPA 2010:1).

The researcher noted that on 1 June 2001, the SAPS abrogated the Policy Document on Affirmative Action of 1997 and introduced a new affirmative action policy titled Promotion of Employment Equity and Elimination of Unfair Discrimination Policy (SAPS 2001). On 1 April 2010 the SAPS reinstated the military rank structure, namely: constable, sergeant, warrant officer, lieutenant, captain, major, lieutenant colonel, colonel, brigadier, major general, lieutenant general and general. Since the reintroduction of the aforementioned rank structures, the researcher can reveal that the positions of lieutenant and major are open or vacant nationwide within the SAPS. The researcher is concerned about the wide gap which the SAPS had created by introducing new ranks whilst they have not yet achieved equity

according to the previous ranking structure. The researcher is of the opinion that the SAPS is creating a huge gap that will take many years to fill and therefore, the matter cannot be left untouched.

The research is intended to enlighten employment managers, recruiters, supervisors and personnel practitioners on how to conduct personnel staffing processes with due regard to affirmative action policy and its associated challenges. It has been observed during literature review that the research on affirmative action has been conducted mostly with focus on the Johannesburg area. Recent writers on the aspects related to this research area are Montesh (2010), Newham et al (2006), and Masiloane (2001). The research conducted by Montesh (2010) and Newham et al (2006) emphasised the importance of creating a diverse workforce within the SAPS and the implementation of affirmative action policy. Montesh (2010:76) expressed concern about the underrepresentation of women in specialised units within the SAPS. Masiloane (2001:110) indicates that the SAPS lacks clear selection criteria for advancing the affirmative action policy. The abovementioned issues of concern raised by the identified researchers are treated with special care in a quest for practical recommendations.

1.4 Problem statement

Reference was made in the previous section that prior to 1994 the SAPS was not broadly representative of the South African citizenry. Balance in respect of race, gender and equality issues was disregarded in recruitment and selection processes. Women were considered as incompetent to fill higher positions and were employed on a temporary basis or under less favourable conditions. It was a common practice that black people would be recruited to positions inferior to their white counterparts irrespective of qualifications or levels of experience. Such practices amounted to unfair discrimination and unequal employment opportunities.

New legislations adopted since 1994 has shed light on and provided direction on personnel staffing procedures. Despite the progress that has been made thus far on personnel staffing within the SAPS, the researcher presents the research problem as: How does the SAPS implement the affirmative action policy and address unfair discrimination in its personnel recruitment and selection processes?

1.5 Research questions

The major research question has led to the generation of sub-research questions stated as follows:

- What is the theoretical background of affirmative action and discrimination?
- What are the current challenges or problems encountered by the SAPS in implementing affirmative action policy?
- How does the SAPS manage, prevent and address discrimination in personnel recruitment and selection?
- Which criteria are utilised by the SAPS to identify and select the beneficiaries of affirmative action?

1.6 Objectives of the research

The major aim of this research is to describe and explain strategies through which the SAPS implements affirmative action measures and address unfair discrimination. In addition to this aim, the following objectives are stated:

- To study the theoretical background of affirmative action policy and discrimination.
- To identify challenges or problems encountered by the SAPS during the implementation of the affirmative action policy.
- To propose strategies through which the SAPS can manage, prevent and address discrimination in personnel staffing processes.
- To assess and describe the criteria utilised by the SAPS in identifying the beneficiaries of affirmative action.

1.7 Demarcation of research

The research focuses on the policing area of Pretoria which has 35 police stations and a population of about 2, 2 million. The dominant racial group in the Pretoria district is blacks dwelling at the townships in the north-western area, followed by whites occupying the south-eastern suburbs, coloureds in Eersterust and Indians in Laudium area.

It has been decided that this research should cover a period of four years, namely 2007 until 2010. From 2007-01-01 until 2010-12-31, the SAPS as the designated employer prepared the Employment Equity Section 20 Plan which indicates the SAPS's commitment to attaining

representation of its human resources based on racial, gender and disability demographics (Sunnyside SAPS 2010:1). This is also the period after which the SAPS concluded an agreement on the Promotion of Employment Equity and Elimination of Unfair Discrimination. It is also before the identified period that restructuring within the SAPS took place, which had a great impact on personnel staffing. The research is curtailed within the specified period in order to guide and control the research within a feasible spectrum.

1.8 Research design and methodology

The major research question is: How does the SAPS implement the affirmative action policy and address unfair discrimination during personnel staffing processes? The research focuses on identifying challenges faced by the SAPS in implementing affirmative action policy, addressing unfair discrimination and identifying the plausible criteria for identifying affirmative action candidates.

Empirical and non-empirical studies are conducted since structured surveys, secondary data analysis and literature reviews are undertaken in generating data. The researcher believes that the survey research is the most appropriate method of research in testing and assessing the opinions and perceptions of the members of the SAPS regarding the implementation of affirmative action policy. Recent literature that focuses on recruitment, selection and appointment of job applicants with specific emphasis on affirmative action was consulted. The research is also intended to be explanatory and descriptive. The researcher utilises qualitative research techniques in order to describe and explain strategies in which affirmative action policy can be implemented and how unfair discrimination can be addressed in personnel recruitment and selection processes in the SAPS.

1.8.1 Data collection techniques

In order to obtain appropriate and relevant information on the subject matter, the following data collection techniques are proposed:

(a) Survey questionnaires

Questionnaires were distributed to current employees of the SAPS in the Pretoria area in order to establish how the SAPS implement the affirmative action policy and eliminate unfair discrimination. An attempt was made to distribute the questionnaires in person in order to

encourage participation in the survey and ensure that the completed questionnaires do not get lost or damaged. Questionnaires were distributed to the members of the SAPS during on-duty parades or working hours after obtaining consent from the supervisors.

(b) Document study

Official documents such as SAPS' strategic plans, human resources policy documents and official files of the SAPS such as information book file containing circulars pertaining to human resources were consulted after official permission had been granted. Strydom and Delport (2005:317) state that a common hassle in obtaining such documents is the legislation regulating issues of confidential information. Printed and audiovisual mass media such as newspapers, magazines, journals, newsletters, and television were used as additional sources of data which were integrated into initial findings. The comparison, examination and integration of information obtained through other measures during research concluded the data collection phase.

1.8.2 Data analysis and interpretation

De Vos (2005:333) points out that “data analysis is the process of bringing order, structure and meaning to the mass of collected data”. In order to attain such a goal, relationships amongst the different classes of information obtained through identified sources have to be collated and integrated. Information was interpreted during and after collection. Collected information was evaluated in terms of its relevance and usefulness to the research. The spread sheet was used to capture the survey data before it was exported to the data analysis software. The IBM SPSS Statistics Version 20 software was utilised for the analysis of data. A statistician was appointed to assist with the analysis of data. Important data was stored in a computer or other storage devices for usage in compiling the final report of this research.

1.9 Selection of cases

Seaberg in Strydom (2005:194) states that a “sample is a small portion of the total set of objects, events or persons which altogether comprise the subject of our study”. The importance of samples lies in the fact that they enable the researcher to determine tendencies of large populations by conducting a survey on small portion of population. Selection of individuals with certain qualities of the population under consideration makes the research feasible.

The quota sampling method was utilised in this research. According to Castillo (2009) quota sampling is a “non-probability sampling technique wherein the assembled sample has the same proportion of individuals as the entire population with respect to known characteristics, traits or focused phenomenon”. Trochim (2006) states that there are two distinct types of quota sampling: proportional and non-proportional. In terms of proportional sampling the aim is to ensure the representation of important characteristics of the population by sampling a proportional number of each. The non-proportional quota sampling requires the researcher to specify the minimum amount of sampled units that he/she seek in every category whereby the emphasis is on ensuring having sufficient representation of groups in the population rather than placing a premium on numbers (Trochim 2006). The respondents were drawn from the various police stations or units of the SAPS within the district of Pretoria.

About 370 employees within the SAPS participated in survey questionnaires. A pilot study was conducted in order to test the data collection techniques. The major reason for a pilot study is to determine whether the methods contemplated in acquiring data would yield expected results or outcome. The chosen research techniques were pre-tested accordingly and the necessary adjustments were made before a major study could be undertaken.

1.10 Clarification of concepts and terms

Affirmative action is a set of policies that are designed to promote inclusion of all individuals from historically disadvantaged groups, thereby addressing concerns about discrimination at the workplace (Montesh 2010:56). According to Rycroft (2009:313) affirmative action is the policy tailored to eradicate discrimination in employment experienced by the historically disadvantaged groups with a view of achieving equitable representation in all occupational categories and levels in the workforce. Eide (1992:9) asserts that affirmative action is “preference, by way of special measures, for certain groups or members of such groups (typically defined by race, ethnic identity, or sex) for the purpose of securing adequate advancement of such groups or their individual members in order to ensure equal enjoyment of human rights and fundamental freedoms”. From the above definitions affirmative action can be viewed as a policy which seeks to ensure that all the suitably trained and qualified individuals from the historically disadvantaged groups are equitably represented in all occupational categories and levels from which they were previously precluded by discriminatory policies, thereby removing all forms of discrimination.

Designated groups mean black people (coloureds and Indians), women and people with disabilities (South Africa 1998:8).

Equal opportunity refers to the ideal circumstance where every person from privileged or disadvantaged groups has an equal chance to compete with his/her peers for advertised positions (Erasmus et al 2005:165). Wessels (2008:26) asserts that equal opportunity refers to the precept which is designed with the object of attaining a representative public service to ensure equality in the employment for the equitable enjoyment of rights, opportunities, benefits and access workplace while also serving as an instrument for removing discrimination and unfairness in the workplace. The concept denotes that people of all races have the opportunity to compete with one another for the available employment positions on equal basis or without any special treatment and preference due to gender or colour.

Personnel staffing is “the function by which managers build an organisation through recruitment, selection and developments of individuals as capable employees” (McFarland in Maheshwari 2004:146). It is a process which focus on filling of positions in the organisation by auditing the skills of the available people, placement, recruitment, selection, promotion and training the required people (Prakash 2012:2). This process is concerned with filling of posts in the organisation through recruitment and selection.

Policy implementation refers to the activities that are executed in consonant with the established policies and the implications of the policies for the people who are affected (Makinde 2005:63). According to Hanekom (1987:55) policy implementation is a practical exercise whereby the intentions, objective and course of action are executed within the specified legal parameters over a period of time. Policy implementation can be regarded as the execution of the intentions and objectives of policy makers which follows the preliminary thinking so that goals could be attained within the set legal boundaries.

Recruitment is a personnel function that is undertaken to obtain applicants who have requisite competencies to the extent of enabling the selector to differentiate between qualified and unqualified applicants per vacancy (Erasmus et al 2005:207). It is an effort by the human resource section to identify and draw suitable candidates through the advertisement of positions in such a manner that it reaches the intended groups while also serving as a tool for attaining employment equity (Unisa 2007:23). Recruitment is the process of luring the people

who match the requirements necessary for effective performance of all the tasks in relation to the vacant position by ensuring the advert reaches the larger target audience.

Scheduled Castes are the “lowest castes in the traditional Hindu caste hierarchy (e.g., Untouchables or Dalits), and as a consequence they experience intense social and economic segregation and disadvantage” (Subramanian, Nandy, Irving, Gordon, Lambert & Smith 2006:819).

Selection means the process of choosing from the pool of job applicants, with due regard to individual differences, job requirements and the organisation’s internal and external milieu (Erasmus et al 2005:233). Selection is concerned with the evaluation and measurement of the information about the job applicant’s qualifications with the sole purpose of ensuring that suitable individuals with relevant skills and abilities are hired to take advertised positions (Bernthal, undated). It is the process of choosing the most suitable candidate for the position from a pool of applicants after a thorough evaluation and assessment of the applicant’s qualifications, skills, knowledge and abilities.

Unfair discrimination means distinctions made based on protected characteristics (eg, race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, culture, language and birth) that have no relationship to the job or impairing the opportunity of equality (Du Toit 2009:153). According to Kumba Iron Ore (2006) the concept refers to any act of differentiating, exclusion or preference made on the basis which is not in relation to the inherent requirement of the position, or which has the effect of neutralizing the equality of opportunity in the treatment of employment which is unjustifiable. Unfair discrimination can be regarded as any action or conduct which has the effect of disadvantaging another person based on irrelevant personal characteristics or attributes.

1.11 Sequence of chapters

Chapter 1 – Introduction

Chapter 1 presents the concept of affirmative action and introduces the purpose of the research. The area which is targeted for research is indicated and motivation for undertaking a research on the implementation of affirmative action policy is justified. A brief outline in terms of how information is gathered for the purpose of research is clearly stated.

Chapter 2 – Theoretical background and literature review

Chapter 2 presents the theoretical basis of the affirmative action policy and discrimination in personnel staffing process which is discussed in detail. This section reflects on the current debates surrounding affirmative action policy and unfair discrimination in employment. Ultimately existing gaps in the literature are indicated and how this research contributes to the existing academic or scientific discourse.

Chapter 3 – Research methodology

Chapter 3 presents the methodology and special material that has been used to collect research data. Quantitative and qualitative research methods are adequately analysed in respect to their relevance in attaining the research objectives. Other important instruments designed such as document study and questionnaires utilised in generating information on the implementation of affirmative action policy are discussed.

Chapter 4 – Data presentation and analysis

Chapter 4 presents various problems encountered by the SAPS in implementing affirmative action policy. The implications of affirmative action for human resource management practices such as recruitment, selection and appointment are assessed. Various ways and strategies, through which the SAPS can manage, prevent and address unfair discrimination in personnel staffing process are identified and analysed. Current strategies are assessed in terms of their efficacies in rooting out unfair discrimination.

A comprehensive description and assessment of the type of affirmative action contemplated by the SAPS in the personnel staffing process is provided. Further discussion is on the integration of different variants of affirmative action in order to draw clear selection criteria in the implementation of the affirmative action policy in recruitment and selection.

Chapter 5 –Findings, recommendations and conclusions

Finally, chapter 5 presents the meaning of the results or findings based on the information generated through questionnaires and document study after integration and analysis of such data. For the purpose of presenting the significance of the research, this section delineates the recommendations and conclusions on the implementation of the affirmative action policy in the SAPS within the Pretoria district.

1.12 Ethical considerations

The researcher has complied with the following research ethics in interaction with the research subjects:

1.12.1 Privacy

All the research participants were informed of their rights to privacy whereby they could decide to decline taking part in the survey. Mouton (2001:243) states that research participants have the right to refuse to respond to a question and to be interviewed at night or at mealtimes. The researcher distributed the questionnaires when the target group was on duty after obtaining permission to do so in order to prevent the invasion of privacy of the individuals.

1.12.2 Anonymity and confidentiality

The survey was conducted with due regard to the participants' right to anonymity and confidentiality. The researcher ensured that the survey participants remained anonymous in such a manner that it would be difficult to track the responses of any participant. None of the participants was required to write his/her name or contact information on the questionnaire. In the process of drawing information from the informants the researcher should ensure that the results are in consonant with the participant's right to privacy and dignity (Mouton 2001:243).

1.12.3 Informed consent

The researcher ensured that the participants understood the questionnaire's purpose so that they could reject to participate if they wished. Participants were informed about what would happen with the information they provided through their responses to the survey questionnaire. Participation in the survey was a voluntary one which means that the participant were free to withdraw from taking part at any stage of the survey. Henning, Van Rensburg and Smit (2010:73) assert that the participants should be appropriately informed about the research in order to alleviate possible uncertainties and assure them of their privacy.

1.13 Summary

This chapter has presented the main focal area of the study, aims and the rationale thereof. It has outlined the multifarious methods and techniques that were applied in gathering significant research data. The next chapter presents the theoretical basis for affirmative action policy and reflects on the current debate in relation to the implementation of affirmative action from international and South African perspectives.

CHAPTER 2

THEORETICAL BACKGROUND AND LITERATURE REVIEW

2.1 Introduction

This chapter presents the affirmative action policy from various perspectives. More importantly, the implementation of affirmative action from the international perspective is explained and analysed. This will help in understanding the continued importance of the policy and areas that need further improvement or alterations. The historical background to affirmative action in South Africa is provided in order to base the rationale for affirmative action. The beneficiaries of affirmative action will be identified. Major arguments will centre on whether the target groups of the policy do benefit or not; procedures utilised to identify beneficiaries; and stigmas against the target groups. Common arguments against affirmative action policy will be described and evaluated in this chapter. There are main arguments against affirmative action that it is similar to quotas, reverse discrimination, tokenism and leads to diminished standards.

Important initiatives such as diversity management, training and human resource development will be explained and examined in order to comprehend how they can best help to eliminate stereotypes against the target groups, and empowerment through provision of training. Attention will be paid to the holistic implementation of diversity programmes at strategic, organisational and individual levels. Benefits of successful diversity initiatives will be revealed and discussed. The rationale for providing training to the designated groups will be debated in favour of the organisation and the individuals concerned. The distribution of training opportunities will also need to be understood against the theories that guide the affirmative action policy.

The distributive, procedural and interactional justices are the three theories that affect the allocation of employment and training opportunities under the affirmative action policy. The central focus will be on how the above theories can be best utilised to inform affirmative action employment decisions. Consultation, assigning of responsibilities, workforce analysis, review of personnel policies and practices, communication, awareness and training, setting

the objectives, and monitoring and evaluation as critical aspects in the implementation of affirmative action policy concludes this chapter.

2.2 International perspective on affirmative action

This section presents and examines affirmative action experiences around the globe. It reveals how the countries such the United States of America, Canada, India, Great Britain, Malaysia, Zimbabwe and Namibia have planned and implemented their affirmative action programmes. These countries were selected with due considerations to the various ways in which affirmative action programmes were undertaken. Some of the important characteristics of countries such as Malaysia, Namibia and Zimbabwe are similar to that of South Africa since the beneficiaries of affirmative action programmes are the majority. It is also imperative to examine the implementation of in countries such as the United States of America, Canada, India and Great Britain where the beneficiaries of affirmative action are the minority. The successes and failures of affirmative action policies in the aforementioned countries are discussed since they can prove to be valuable to the effective implementation of affirmative action programmes in South Africa. South Africa should be able to draw significant lessons from the experiences of the countries mentioned above in order to avoid repeating the mistakes made in those countries. The implementation of affirmative action policy in the identified countries will be considered from two perspectives, that is the public sector and the private sector. This will provided important lessons for an organisation such as the SAPS in dealing with challenges experienced in applying affirmative action measures in both the private and public sector institutions around the world.

2.2.1 United States of America (USA)

Affirmative action was first introduced in the United States of America (USA) with a view of removing racial segregation and inequality (Charlton & Van Niekerk 1994:37). According to Holloway (1989:9) many people became familiar with the concept of affirmative action in the 1960s and early 1970s when federal contractors were initially requested to implement affirmative action. Charlton and Van Niekerk (1994:38) point out that although the concept of affirmative action has formally been introduced in the United States, the policy of government interventions to advance the interests of other groups may have emerged in other

countries such as India, Malaysia and South Africa. The development of affirmative action has to be understood against the background of the role played by the civil rights movement.

Deane (2009:81) states that the civil rights movement in the United States was an institution that challenged the government of the day for racial discrimination against black Americans. He reveals that the movement fought for the full citizenship of black Americans and to attain racial equality. He indicates further that the common strategies utilised by individuals to make their voices heard about the termination of racial discrimination were peaceful protest marches, boycotts and repudiating to comply with discriminatory laws under the leadership of Martin Luther King Junior in the 1960s.

Due to the mounting pressure exerted by the civil rights movement, in March 1961, President Kennedy, promulgated an Executive Order 10925 and asserted that his administration was committed to equal opportunity in employment by the federal government and its contractors. Section 301 of the Executive Order requested all the federal contractors to remove any form of discrimination in employment on the basis of race, colour or national origin, and they were expected to implement affirmative action to ensure that applicants are employed and treated equally without consideration to race, colour, creed or nation of origin (Robinson 2001:79–80). According to Clark (1992:111) affirmative action became a controversial and politicised issue in the United States. Thomas (2002:245–246) contend that the concept of affirmative action was first used in Title VII of the Civil Rights Act of 1964 (Public Law 88-352, 78 Stat. 241), which was meant for the advancement of black minority in the United States. He emphasises that the legislation is intended for both the private and the public sector employers who have employed 15 or more workers.

Moens (1985:23) indicates that on 24 September 1965, President Lyndon B. Johnson, signed an Executive Order 11246 which accentuated the need for the implementation of affirmative action programmes by all state contractors and subcontractors. The major aim was to promote non-discrimination against the minority groups and ensure that they were given preference. Sowell (2004:124) states that the US Department of Labour's Office of the Federal Contract Compliance Programmes (OFCCP) was charged with the responsibility of ensuring compliance with Executive Order 11246. In the 1970s the Executive Order 11246 was extended by the promulgation of the Rehabilitation Act of 1973 and the Vietnam Era Veterans Readjustment Assistance Act of 1974. The newly enacted legislations required the

federal contractors to write and implement their affirmative action plans for the advancement of the handicapped or disabled people and veterans of the Vietnam era (Holloway 1989:13). Clark (1992:112) points out that the application of anti-discriminatory policy mandated all the employers to undertake an “underutilisation analysis” whereby employers would determine the number of people who are historically disadvantaged in their workplaces, and make necessary adjustments if underutilisation was detected. The contractors were also expected to monitor the employment activities such as placements, transfers, promotions and terminations of each race group (Holloway 1989:12). Non-compliance with the Executive Order would result in the termination of the contract or the business with the federal government (Deane 2009:85).

On 26 July 1990, President George Bush signed the Americans with Disabilities Act which comprehensively spelled out the equality of people with disabilities in the United States of America. The Act sought to ensure that the handicapped people were not discriminated against in employment, public accommodation, transportation, state and local government operations and telecommunication services (Robinson 2001:30–310). On 19 July 1995, President Bill Clinton declared in his speech on affirmative action urging all government and employment agencies to comply with four critical standard of justice in affirmative action. He pointed out that “no quotas in theory or practice; no illegal discrimination of any kind, including reverse discrimination; no preference for people who are not qualified for any job or other opportunity; and as soon as the programme has succeeded it must be retired”. He asserts further that when affirmative action is undertaken correctly it becomes more flexible or versatile, just and effective. He emphasises that the principles of affirmative action should be corrected or rectified instead of discarding them completely (Robinson 2001:328–329).

Thomas (2002:246) acknowledges that United States of America had its own challenges as far as the implementation of affirmative action is concerned. For instance, in October 2000 the Circuit Court of Appeal challenged the constitutionality of the Americans with Disabilities Act in Patricia Garrett vs. the University of Alabama (Robinson 2001:370–371). Clark (1992:117) argues that affirmative action favoured or benefited the members of the middle class in racial and ethnic groups and has failed to eliminate poverty among blacks and Hispanics. The major focus of affirmative action has been numbers without due consideration to training and development for chosen individuals, ensuing in less investment in human resources (Thomas 2002:246). There are also dissenting views by the authors with regard to

the role of affirmative action in the United States of America. Clark (1992:115–116) on the one hand acknowledges that anti-discrimination laws and affirmative action ensured significant and great economic improvements and integration into the workplace, and that there is evident consistency in the upward mobility by females and black males. He points out that his argument is supported by higher earning and augmented representation in occupations and professions among black males and females. Charlton and Van Niekerk (1994:40) on the other hand argue that affirmative action in the United States has not been successful per se, due to the fact that recruitment and promotion of blacks, females and the handicapped had been more stringent, compounded with less advancement.

The key issues arising from the United States of America's approach to affirmative action are that the targets were the minority who are blacks and the Hispanics who were the victims of segregation in all spheres including employment. The private institutions that entered into business with the state had to comply with the affirmation policy or preferential policies and those that did not adhere to the policies would have their contracts terminated and could not do any business with the state. The preferential policies failed to eradicate poverty among the black minority and the Hispanics. The affirmative action programmes did not prioritise the training and development of the designated groups.

2.2.2 Canada

Canada responded to unfair discrimination against designated groups (women, ethnic minorities, aboriginals and handicapped) through the charter of rights expressed in the Canadian Constitution of 1982 (Thomas 2002:244). In order to ameliorate the status of the historically disadvantaged groups Section 15(1) of the Constitution states that “Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability”. In addition, subsection 2 states that “ subsection (1) does not preclude any law, programme or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability” (Oliver 1992:88).

Thomas (2002:244-245) mentions that Canada took another vital step in defending the rights of the previously disadvantaged people by enacting the Employment Equity Act in 1986 which was also amended in October 1995. Oliver (1992:91) asserts that the aforementioned legislation is administered by the Employment and Immigration Canada (EIC) which has 499 employment centres around the country which has knowledgeable consultants to give counsel and help on effecting the employment equity plans. The Employment Equity Act (1986) is intended to create equal employment opportunities and prevent unfair discrimination against the previously disadvantaged groups. Every employer in the private and public sector with 100 or more workers must in consultation with the recognised bargaining body implement employment equity by identifying and addressing employment impediments against the members of the disadvantaged groups; implementing such policies and practices people from disadvantaged groups attain reasonable level of representation in the workforce; planning and setting goals and timeframes annually (BMF 1993:16-17). Thomas (2002:245) states that an administrative policy was declared whereby institutions and organisations with 100 or more workers who bid on federal government contracts of \$200 000 or more were required or obliged to fully implement the employment equity programmes.

All reports from companies were subject to public examination and non-compliance with the equity plans results in the loss of contracts by organisations (BMF 1993:17; Oliver 1992:91-92). It is also interesting to note that in 1991 a new Department of Multiculturalism and Citizenship was established which demanded that all federal institutions ensure that Canadians of all races or origins had equal opportunities to find employment and progression in those institutions (Oliver 1992:97). Thomas (2002:245) notes that despite all efforts by the government the Canadian policy continued to increase the employment of white able-bodied women instead of addressing racial practices against the minority women. The problem is alluded to the fact that the 1986 legislation demanded the submission by employers of the reports outlining numerical representation without consideration to identifying and changing of discriminatory institutional policies and practices entrenched in the organisational culture. Monitoring of compliance was not effectively undertaken. "The Canadian experiences suggest that employment equity programmes must be comprehensive, system based and result oriented. Such policies need to be actively supported through well-focused development tools for all employees and fully integrated into every aspect of resource management" (BMF 1993:17).

Canada's experience shows that affirmative action policy favoured the white able-bodied women instead of advancing the disadvantaged minority women. The racial policies were not completely abrogated which hampered the successful implementation of the preferential policy. Training and development of the historically disadvantaged groups was overlooked by the state.

2.2.3 India

India had affirmative action policies longer than any nation starting in the British colonial time and then enshrined in its constitution when it obtained its independence in 1947 (Sowell 2004:23). The Indian Constitution (1949) provides special measures for advancing the untouchables ("scheduled castes" or "Dalits") and members of backward tribes (BMF 1993:18). According to Sowell (2004:24) the two categories constituted 16 percent and 8 percent respectively of the total population. Charlton and Van Niekerk (1994:40) state that after independence in India there were two big programmes in the form of affirmative action or positive discrimination and land or agrarian reform. Reservations or quotas were adopted in education and employment in the public sector in order to ensure the advancement of the untouchables and scheduled tribes especially in rural areas (Thomas 2002:244).

Havanur (1992:108) holds that post reservations for scheduled castes and scheduled tribes had been undertaken on a circumscribed basis in the central and state services. According to Sowell (2004:24) the preferential policies were intended to improve the socio-economic standards of the scheduled castes and tribes, and eradication of all forms of discrimination against the identified groups. The most problematic factor is that the members of the scheduled castes and tribes who obtained education and economic benefits became conscious about their rights and in turn they became victims of terrific atrocities in the rural areas. The crimes which were committed by the Hindus against the scheduled castes and tribes range from rape, murder, assault and arson (Havanur 1992:109; Sowell 2004:26–27). Havanur (1992:109) states that the major reasons for attacks on the abovementioned groups in India were ascribed to the declaration of rights by the scheduled castes and scheduled tribes on their land given by the government.

In order to give the scheduled castes and tribes appropriate participation in the political arena and legislative bodies, some seats in the House of the People (Parliament) were reserved for

them. Educational seats were also reserved for the disadvantaged groups in the faculties of engineering and medicine. Obligatory and free primary education was given to the children under the age of 14 years (Havanur 1992:108). Sowell (2004: 46–47) reveals that the young generation from the non-preferred groups who found themselves in desperate circumstances, resorted to extreme measures and after national government was elected in 1989 the expansion of quotas met with serious offensive reactions from the non-preferred groups.

Thomas (2002:244) contends that criticism levelled against affirmative action policy in India are based on the fact that it did not benefit the deserving individuals in the country, and the government's practice of quotas led to violent reactions and diminished standards. In support of the above argument, Charlton and Van Niekerk (1994:40) maintain that all the people who belong to the backward classes or disadvantaged groups had to benefit because of their group status which resulted in serious abuse. They recommend that a focused approach is required whereby only the poorest classes or deserving individuals benefit instead of the whole groups.

Sowell (2004:30) states that preferential policy in education resulted in a situation whereby many reserved spaces remained open, other places were filled by the advantaged groups. He holds that educational problems translates into employment problems because there were still open job reservations for the untouchables in the 1990s since there was a shortage of qualified candidates from the untouchables. As a result of inappropriate educational investments it remained impossible to fill the reserved jobs (BMF 1993:18). Havanur (1992:107) states that the Indian Constitution has embraced the meridian principle confirming the free competition among the people and by so doing ratified the compensatory precept to eradicate old social segregation protecting the discriminated classes from racism.

Sowell (2004:52) points out that the parents of the disadvantaged students were very illiterate that they were also unable to provide career guidance to their children. He concludes that “the apathy born of hopelessness does not evaporate immediately when a new world of opportunities and prerequisites appears”. It is clear that affirmative action is self-defeating if it is utilised as a tool of creating a balance of power, and it can be successful when there are apparent inequalities between groups which the policy intends to rectify. Any affirmative action policy programme should be adequately supported both politically and economically (Charlton & Van Niekerk 1994:41).

India's experience in the implementation of affirmative action policy illustrates that the beneficiaries (scheduled castes and tribes) of the policy became victims of serious crimes since they were targeted to receive some economic and educational benefits. It appears that perhaps the Indian people were not appropriately sensitised about the affirmative action or it could be that they were not psychologically prepared to embrace the programme with its challenges. The government of India utilised quotas in applying the preferential policies in education with a purpose of uplifting the educational standard of the disadvantaged groups. However, the programme did not benefit the targeted groups which could be ascribed to the incorrect implementation of the programme.

2.2.4 Great Britain

In Britain efforts for the advancement of women, handicapped people and minority groups, especially Indians, were taken in the 1970s when different legislation and regulations were ratified by the Department of Employment (Thomas 2002:246). Edwards (1995:47) states that the new Race Equality and Employment policy was adopted in February 1982 which encouraged the employers to ensure the representation of the minority groups. The minority constitute 5,5% of the population of Great Britain and that is the reason it is not surprising that affirmative action is not pursued with much efforts and enthusiasm in Great Britain (Edwards 1995:156).

The Department of Employment stipulated the following terms in respect of the employment equity policy: unanimous measures with worker representatives to promote employment equity; monitoring of the implementation of the employment equity policies within the organisations; and frequent reports to senior management on the effectiveness or success of the equity policies. Organisations were also helped concerning the implementation of employment equity policies by the Department of Education, the Institute of Personnel Management, and the Industrial Society (Thomas 2002:246–247). The Equal Opportunity Commission was formed to supervise the implementation of the Race and Sex Discrimination Act and also published a Code of Practice which encouraged preferential policies in recruitment, promotion, training and development in all occupational levels (BMF 1993:17). The Commission was also entrusted with the responsibility of investigating matters in connection with discrimination in the workplace (Thomas 2002:247).

In the public sector, a programme of action was introduced in 1984 and updated appropriately in 1992, to attain equal opportunities for female employees. The programme of action provides for preferential policies in order to spur men and women to apply for employment in areas where they were previously underutilised or to be offered training to assist them nurture their potential (BMF 1993:17–18). Edwards (1995:157) states that affirmative action in Great Britain is undertaken on voluntary basis by organisations.

Thomas (2002:247) reports that there have been minimal changes in Britain since employers are not compelled to conform to the codes of practice and would only be penalised if found guilty of discrimination. The challenges faced by Great Britain in implementing the preferential policies are twofold: first, nobody has the knowledge of the size of the available pool for any particular job type because nobody has measured the availability thereof with a degree of sophistication; secondly, the two major groups of minorities, the Afro-Caribbean and the Asian have very different educational backgrounds and career expectations. Even though the situation remains as it is in Britain, it would be imprudent to presume that preferential treatment does not exist in that country although its magnitude is complicated to judge (Edwards 1995:161–165).

The main focus of the Britain's preferential policy is mainly affirming the minority (Asians and Afro-Caribbeans) into positions from which they were previous excluded. The application of preferential policies is encouraged in recruitment, promotion, training and occupational levels. Training is specifically offered in areas where the historically disadvantaged groups are underrepresented in order to make sure that they are competent and employable. However, a matter of concern is that the employers are left to implement the preferential policy on voluntary basis which creates an opportunity for non-compliance.

2.2.5 Malaysia

Malaysia is one of the most successful states in Southern Asia with a population of approximately 23 million (Sowell 2004:55). "The population of Malaysia is 50 percent Malay, 24 percent Chinese and 7 percent Indian" (Sowell 2004:55). Puthuchearry (1992:51) points out that Malaysia is the only country that incorporated the affirmative action policy in its constitution after independence in 1957. The United Malays National Organisation (UMNO) was seen as a political party that represented the interest of the Malay community

and it was in turn tasked with the responsibility of drafting the new constitution (Emsley 1996:18). Puthucheary (1992:52–53) reveals that UMNO formed a pact with the Malayan Chinese Association (MCA) and the Malayan Indian Congress (MIC) resulting in the Alliance Party which played a pivotal role in ensuring political stability in the country.

Emsley (1996:16) indicates that Chinese and Indians had more economic powers than the indigenous Malay people who were poor and confined to agrarian occupations. The coalition government between the three political parties representing three distinct ethnic groups in Malaysia initiated a comprehensive strategy to implement affirmative action without compromising the economic standards (Charlton & Van Niekerk 1994:41–42). Thomas (2002:243) highlights that the Chinese and Indians were given full citizenship in exchange for constitutional preferential treatment for the Malays. He states further that the Malay people remained economically disadvantaged, posing a threat to the unity and national stability.

In 1971 the New Economic Policy (NEP) was introduced to eliminate poverty; equalising equity ownership; and eradication of the identification of race with economic function (BMF 1993:19). Under the New Economic Policy, the preference which had already prevailed in the public sector was stretched to employment in the private sector, including foreign organisations conducting their business in Malaysia (Sowell 2004:61). Emsley (1996:25) mentions that the New Economic Policy was designed to promote national unity through social integration and equitable allocation of income and opportunities. Puthucheary (1992:56) contends that the prevailing quotas in some services, combined with the fact that there were inadequate numbers of qualified Malays to occupy the posts in the professional and technical services ensued in over-representation in the administrative and semi-professional services, in the police and the army in Malaysia.

In order to uplift the economic levels of the disadvantaged groups in remote areas, the young Malay rural labourers were recruited whereby they were given leases and ownership of plots financed by loans at concessionary rates. The Federal Land Development Agency (FELDA) was established to ensure that the land was economically used for agricultural purposes and development (Emsley 1996:28–29). It has been noted by Emsley (1996:29) that the landless poor people were also given the opportunity to own the land whereby they could plant crops and earn an income.

The government of Malaysia also channelled its attention to the improvement of educational standards of Malay people. The Malaysian government introduced a preferential policy in schools and the universities and replaced English as a medium of instruction with the Malay language. The situation was a government's response to the fact that the Chinese and Indians outnumbered the poor indigenous people at universities and they were highly qualified in fields of science, technology and medicine (Sowell 2004:63–64). According to Emsley (1996:28) the basic educational programme in rural area were supported by investment in agricultural training. He postulates further that the educational drive was accompanied by efforts to ameliorate the health of rural population. Thomas (2002:243) highlights that quotas in education encouraged the non-Malay students to leave the country to study in foreign countries.

Puthucheary (1992:54) contends that a special position for the Malay is contained in Article 153 of the Malaysian Constitution, which sought the removal of discrimination against the Malays and rectify the ethnic imbalances and in income and wealth through affirmative action. Sowell (2004:74-75) reveals two critical implications of affirmative action in Malaysia: people who benefited from preferential policies were not really disadvantaged; educational standards dropped in the country's universities after student admissions and employment in faculties were no longer premised on individual merit, but on group status. In support of Sowell's conclusions, Thomas (2002:243) maintains that Chinese and Indians continued to own the wealth under the guise of businesses run by the Malay "front men", which produced an elite Malay group benefitting from affirmative action at the expense of many disadvantaged groups in poorest sectors. Puthucheary (1992:60) declares that inequalities within ethnic groups have broadened and the poor members of the society have been forsaken thus defeating the purpose of designing and implementing affirmative action.

It is broadly acknowledged that the affirmative action policy has been effective in the public sector and education sectors, although the Chinese Malaysians still control the private sector and maintain their economic domination (BMF 1993:19). Charlton and Van Niekerk (1994:42) concede that the effectiveness of affirmative action is attributed to economic growth rate where resources could be allocated.

The implementation of affirmative action in Malaysia shows that the targeted group was the majority (Malay people), whereas the minority were the Chinese and Indians who had control of the economy in that country. The preferential policies were enforced in such a manner that the international organisations doing business in that country were bound to apply affirmative action policy. Quotas were also utilised in areas where the Malay people were underrepresented. The government of Malaysia strived to ensure improvement in the educational standards of Malay people. The non-Malay people left that country and went abroad where they could study, which was driven by the implementation of quotas in education. Undeserving people benefited from the affirmative action policy. Educational standards dropped at the universities since admission was based on group status. Inappropriate implementation of the preferential policies led to serious abuse which ensued in the inequalities within the ethnic groups. The rich people became richer and the poor people became poorer.

2.2.6 Zimbabwe

Before 1980 white people dominated the highest positions in the public and private sectors of Zimbabwe (Hofmeyr & Whata 1993:63). It was prior to independence in Zimbabwe when black people would be only subjected to performing semiskilled and unskilled jobs. Black people were discriminated and downtrodden in the educational arena, and unemployment was very rife among the black Zimbabweans. Black Zimbabweans with secondary education would only be afforded the opportunity to work as teachers, nurses and clerks (Hofmeyr & Whata 1993:63).

Charlton and Van Niekerk (1994:43) state that in 1980 after Zimbabwe had obtained its independence from Britain, President Robert Mugabe issued a directive to the Public Service Commission for the advancement of black Zimbabweans in the civil service. The directive resulted in voluntary resignations, emigration and an exodus to the private sector by whites who had filled 90 percent of middle and top management positions at the time. Normal procedures of appointment and promotion were not followed in order to expedite the hiring of black Zimbabweans especially for middle and top-management positions (BMF 1993:121).

Thomas (2002:247) notes that Zimbabwe did not promulgate any legislation in respect of the employment equity. The number of civil servants in Zimbabwe rose from 56 000 in 1981 to

165 000 in 1989. The continued reduction of whites in the civil service was due to expansion, emigration and retirement (Hofmeyr & Whata 1993:65). According to Charlton and Van Niekerk (1994:43) in 1989, 95 percent of the top 300 civil service positions were occupied by blacks. Hofmeyr and Whata (1993:65) point out that a serious challenge that faced the public service was the inadequacy of properly qualified personnel in the professional and technical categories.

Thomas (2002:247) suggests that the private sector institutions voluntarily adopted black advancement initiatives with a view to the securing of government contracts. It seems that the absence of legislation on black advancement did not mean that the government did not expect the private sector to engage in employment equity. This was evidenced by President Robert Mugabe's attack in his Independence Day speech of 1989, on employers in the private sector who were hesitant to adopt the employment equity measures (Hofmeyr & Whata 1993:65). Thomas (2002:247) reveals that there was an obvious absence of commitment to black advancement in the private sector, and companies engaged in tokenism.

Hofmeyr and Whata (1993:67) suggest that the black Zimbabweans who were promoted to senior positions in the public sector felt confident to perform the huge responsibilities of their top-level positions due to the professional qualifications they had acquired. According to BMF (1993:21) the black advancement policy in Zimbabwe has been successful in attaining its objective which was espoused by the dramatic exit of whites from that country. The researcher is of the opinion that Zimbabwe was far from being successful because integration of whites and blacks was not attained. The researcher suggests that the black advancement programmes should have been accompanied by a sunset clause for whites in senior management positions so that blacks could have the opportunity to assimilate and learn. Hence, Human (1993:60) contend that imparting educational knowledge and skill to the blacks without integration through diversity management programmes, could prove to be counterproductive to affirmative action.

Black advancement in Zimbabwe was not conducted without costs since the initiative resulted in huge number of civil service employees and serious reduction in efficiency and probity (BMF 1993:21). Thomas (2002:248) cites that black advancement programmes were accompanied by nepotism, tribalism, fraud and corruption. He emphasises further that the programme benefitted the elite group who are vocal at the expense of the disadvantaged

majority of the population. The quality of black management programmes is questionable since gender inequality was not considered and black Zimbabweans with the qualifications but limited experience were afforded preference (Charlton & Van Niekerk 1994:43).

Zimbabwe's experience in the application of black advancement programme demonstrates that most of white people retired from the civil service while others left that country. In the process of filling the vacant positions left by the whites, appointment and promotion procedures were no longer upheld in order to expedite the employment of black Zimbabweans to the middle and top management positions. Zimbabwe experienced a shortage of experienced people in professional and technical fields. There was no commitment to the application of black advancement policy in the private sector. Lack of commitment to preferential policy could perhaps be ascribed to the absence of binding legislation and monitoring.

The integration of blacks and whites was not undertaken by the Zimbabwean government. In essence, the dramatic exit of experienced whites from the Zimbabwean civil service could suggest that the blacks did not have the opportunity to imbibe managerial skills and gain relevant experience under the tutelage of their predecessors. Due to incompetence the civil service experienced serious inefficiencies. Fraud, nepotism, tribalism and corruption became more prevalent in the public sector. Gender inequalities were not dealt with by the black advancement programme.

2.2.7 Namibia

After independence in 1990, the Namibian parliament was granted the powers to carry out policies and programmes tailored for dealing with social, economic and educational inequalities in Namibian communities (Masiloane 2001:45). Gawanas (1992:62) points out that apartheid affected the people of Namibia socially, economically and politically. The Namibian Public Service Commission was authorised to create more representative civil service as opposed to the one which was dominated by the whites prior to independence (BMF 1993:20).

Before independence in Namibia most of the black people were subjected to a poor educational system and those who had acquired qualifications were denied employment

opportunities due to laws of segregation and job reservations. Unemployment was prevalent among the black people of Namibia. Apartheid policies ignored the development of human resources (Gawanas 1992:62). According to the BMF (1993:20) the above conditions changed to a greater extent when the civil service was enlarged to accommodate the disadvantaged people by adjusting requirements or prerequisites for recruitment and promotion. It should also be noted that qualifications as a requirement was not relaxed or adjusted (Gawanas 1992:650).

Masiloane (2001:45) points out that poor educational background and poverty are considered as criteria for affirmative action. He maintains that it is generally accepted that people will not obtain the right for preferential treatment on the basis of their skin colour. Employers were expected to identify the appropriately qualified personnel from disadvantaged groups with a purpose of granting them preferential treatment. Employers are also compelled to satisfy the staffing targets unless it is difficult to find the qualified candidates from designated groups. The policy affected employers with 25 or more workers (Charlton & Van Niekerk 1994:42).

The regulatory institution, thus the Employment Commission under the Department of Labour was charged with the onus of monitoring the implementation of affirmative action policies and investigates unfair labour practices (Charlton & Van Niekerk 1994:42). Masiloane (2001:45) accentuates that the Namibian government had expressed a strong desire to consider the aspect of women's rights and advancement by forming the Department of Women Affairs in the president's office. The public service commission, as an independent and impartial institution as per Article 113 of the Namibian constitution facilitates the employment of people of poor backgrounds outside the service of government and lower ranks within the civil service to gain promotion (Gawanas 1992:65).

Masiloane (2001:46) notes that many jobs in the civil service which were intended for black Namibians were filled by advantaged coloured people with better educational standards. He cites that most of the young black matriculants, graduates and artisans from exile were not absorbed by the private sector. The private sector virtually failed to undertake affirmative action measures and many foreign nationals are recruited or hired in lieu of the indigenous disadvantaged people in order to meet the requirements. Gawanas (1992:66) concedes that

the employment of the historically disadvantaged individuals should not be on the grounds of merit (performance and experience) and not only on the basis of the skin colour or gender.

Namibia's experience indicates that educational qualifications remained important criteria for identification of beneficiaries of affirmative action programme. The employers were required to identify the suitably qualified individuals from the historically disadvantaged groups and affirm them. The main problems were in the private sector where the suitably qualified black people were overlooked and preference was given to the foreign nationals. The researcher believes that there was need for introducing a binding legislation which should be accompanied by serious penalties when non-compliance with preferential policy is identified.

The next section will provide a historical background of affirmative action in South Africa in order to understand how the concept has emerged and embraced in South Africa.

2.3 Historical background to affirmative action in South Africa

Madi (1993:3) states that affirmative action in South Africa started long back in 1922 after the white miners went on strike whereby the civilised labour policy was introduced. Nel (2001:49) states that the Industrial Conciliation Act 11 of 1924 provided for preferential employment opportunities for white employees in an endeavour to alleviate poverty among the whites. According to Madi (1993:3) the new labour legislation was an arrangement to appease the white workers after the 1922 Rand Rebellion.

The Wage Act 27 of 1925 was passed which also set up the levels of remuneration apparently in favour of white employees (Madi 1993:3). Black people were remunerated approximately ten percent of the salaries of their white counterparts (Qunta 1995:11). This clearly indicates that blacks were directly denied some economic benefits and the situation accounts for dire poverty amongst the black communities. Bendix (2007:63) also reveals that the white females were also unfairly remunerated for their services.

Bendix (2007:66) states that soon after the national Party took over the government in 1948, the Botha Commission was appointed to conduct investigations or inquiries into the prevailing labour issues. The recommendations of the Commission resulted in a dualistic system of labour relations which culminated in the declaration of separate labour legislation

for the blacks known as the Black Labour relations Act 48 of 1953 (Nel 2001:52). The propositions of the Botha Commission were intended to maintain the white supremacy over the black people (Bendix 2007:66). Qunta (1995:12) adds that black people were not considered as employees.

In 1956 the Industrial Conciliation Act was revised and the new Industrial Relations Amendment Act 28 of 1956 was enacted which incorporated the job reservation clause (section 77) whereby jobs could be legitimately set aside for white people (Bendix 2007:67). The job reservation clause was reckoned as protection against interracial competition (Nel 2001:54). According to Qunta (1995:10) white workers, especially the unskilled ones, viewed African employees as a menace or rivals, since they had to vie with them for job opportunities. High educational requirements and apprenticeships were set as prerequisites for employment which would purposefully disadvantage blacks due to lack of accurate education and apprenticeship (Qunta 1995:11).

In 1979 the Wiehahn Commission was appointed to institute investigations into labour related issues whereby its report identified the job reservation clause enshrined in section 77 of the Industrial Conciliation Act 28 of 1956 as a major labour problem (Nel 2001:59). In 1991 the Labour Relations Amendment Act 9 of 1991 was promulgated which resulted in diminished racial discrimination (Bendix 2007:81; Nel 2001:61). Madi (1993:5) states that the unbanning of political parties such as the African National Congress (ANC), the South African Communist Party (SACP), the Pan Africanist Congress (PAC) and the emancipation of political prisoners in 1990 resulted in a huge momentum of affirmative action activities. This was evidenced by strike actions in the municipal services, transport industries, fishing, health and police services (Bendix 2007:83).

During the 1990s the Black Management Forum (BMF) which was formed in 1976 with the aim of influencing the socio-economic transformation of South Africa so as to achieve justice, equity and fairness regained its strength. The BMF advocates the development and empowerment of managerial leadership of the black people in organisations (Black Management Forum 2011: online). The researcher suggest that BMF was meant to protect the socio-economic interests of black people in South Africa as the Afrikaner people did in 1918 when they formed the Afrikaner Broederbond (AB). The Afrikaner Broederbond wanted to

promote Afrikaner nationalism in South Africa; sustain Afrikaner culture; develop an Afrikaner economy and seize the government powers (Boddy-Evans 2011).

After the African National Congress (ANC) won the general elections in 1994, the Reconstruction and Development Programme (RDP) was adopted with a goal of eradicating the effects of apartheid policies among the black people in South Africa. It was intended to reduce the interracial gaps of social and physical infrastructures: education, health, housing, sanitation and transport (Emsley 1996:88). In order to deal with educational backlogs or problems among the blacks caused by the apartheid government the Tertiary Education Fund of South Africa (TEFSA) was introduced by the South African government to assist in covering the tuition fees of the historically disadvantaged students with potential at tertiary level. As TEFSA continued to grow it was charged with the responsibility of managing the National Student Financial Aid Scheme (NSFAS) leading to the promulgation of the National Student Financial Aid Scheme Act 56 of 1999 (National Student Financial Aid Scheme: online).

According to Emsley (1996:99) apartheid policies denied black people business opportunities. Any endeavours by black people to venture into business were strictly discouraged. In response to such policies that undermined and oppressed the black people, the government of South Africa introduced the black economic empowerment policy after 1994 in order to encourage institutions and organisations to consider incorporating black people as shareholders within companies or organisations. Through the black economic empowerment policy the government also intends to see women of all races being affirmed as shareholders or drawn into managerial positions. Ndaba (2011) states that the revision of the broad based black economic empowerment codes is crucial in order to appropriately regulate aspects relating to ownership by communities and workers; increase the skills development and support small enterprises. The Minister of Economic Development, Ibrahim Patel states that the black economic empowerment should uplift and benefit the historically disadvantaged groups rather than an elite group of black investors (Ndaba 2011). Ratsoma in Ndaba (2011) reveals that the concept of black economic empowerment (BEE) is problematic since it is accompanied by fronting whereby the transactions are consistent with the regulations but not with the spirit of Broad Based Black Economic Empowerment (BBBEE).

Different legislation and policy documents that support affirmative action drive have been adopted by the South African government, namely: the Constitution of the Republic of South Africa of 1996; White Paper on Affirmative Action in the Public Service of 1998; the Employment Equity Act 55 of 1998; the Public Service Act 103 of 1994; the White Paper on Human Resource Management in the Public Service of 1997; the White Paper on Public Service Training and Education of 1998; and the Skills Development Act 97 of 1998 (Erasmus et al 2005:176).

According to Wessels (2005:126) the Constitution of South Africa of 1996 emphasises the concept of equality in the employment process within the public service by mentioning that everyone is equal before the law and has the right to equivalent benefits and protection (section 9(9)(1)). Equality of rights enshrined in the Constitution of South Africa (1996) was expressed by the African National Congress in the Freedom Charter which declares that all the people shall be equal before the law whereby all the laws which segregate on the basis of race, colour, gender or belief shall be abrogated. All apartheid regulations and practices shall be eliminated (Limpopo Provincial Government). In order to achieve transformation in the public service whose employment practices are supported by equity, the White Paper on Affirmative Action (1998) was ratified. It is intended to bridge the gaps and removing irregularities created by previous discriminatory policies. The Employment Equity Act 55 of 1998 was adopted to give effect to the constitutional principle of equality. It is tailored for the eradication of unfair discrimination and to redress the disadvantages in employment by requiring the implementation of affirmative action measures (McGregor 2007:107).

The Public Service Act 103 of 1994 was promulgated to make provision for the organisation and administration of the civil service of the Republic of South Africa, the regulation of the state of employment, terms of office, discipline, treatment and dismissal of members of the civil service and other matters thereof (Unisa 2007:283). The Public Service Act 103 of 1994 depicts the people as valuable resources; hence their effective and strategic management play an integral role in the transformation of the public service. The White Paper on Human Resource Management in the Public Service (1997) spells out the future objectives for managing the human resources in the public service. It is intended to ensure the effective service delivery system, holds the public servants accountable for their actions in order to attain transparency and compliance with ethics (Unisa 2007:5). Another important significant government policy document pertaining to the human resources is the White Paper on Public

Service Training and Education (1998) which focuses on the provision of appropriate formal educational opportunities. It encourages the staff development through the on-the-job learning or training such as mentoring, job rotation, job enrichment and coaching (Unisa 2007:98). Complementary to the White Paper on Public Service Training and Education (1998) is the Skills Development Act (No.97 of 1998 which requires employers in the public and private sector to develop and ameliorate the skills of the South African workforce through the provision of learnerships (Republic of South Africa 1998:2).

The emergence of affirmative action in South Africa cannot be considered independent of its rationale. In the following section the rationale for affirmative action is discussed, explained and justified.

2.4 Rationale for affirmative action

Bergman (1996:9) states that affirmative action is necessitated by the need to remove segregation against the previously disadvantaged in the workplaces. In terms of the Employment Equity Act 55 of 1998 section 15 (2) subparagraphs (a) and (c) affirmative action measures must eradicate employment obstacles with a view of accommodating people from the previously disadvantaged groups which should result in a diverse workforce that is equitably represented at all levels. According to Kellough (2006:77) the redistribution of opportunity is required in order to ensure that all people who were excluded previously or those who are presently excluded are no longer discriminated against. In support of this view, Faundez (1994:43) states that affirmative action measures are intended to ameliorate underutilisation and rectify problems found in the organisation's personnel practices.

Affirmative action is made more critical due to the aspiration to attain racial and gender diversity (Bergman 1996:9–10). Tinarelli (2000:53) is of the opinion that the promotion of diversity at work results in more flexibility, access to wide spectrum of skills and diminished hierarchy with an ultimate boost to productivity. Hermann (2007:18) asserts that affirmative action in South Africa does not appropriately advance diversity but uniformity which is caused by affirmative action that is based on racial standards. Hence, Kellough (2007:85) states that affirmative action may create a situation whereby the people who benefit by being given preference do not require the preferential treatment they are given. He contends that not all black people suffered some economic disadvantage. The researcher agrees with points

raised by Kellough (2007) above but a major concern is that differentiation within race based socio-economic prosperity of individuals may cause conflicts.

Affirmative action policy is designed to reduce the poverty of the historically disadvantaged groups who were unfairly discriminated against (Bergman 1996:10). Habib (2011) warns that once the aspect of poverty alleviation is not appropriately dealt with, civil war may result. In his book, Hermann (2007:14–15) contends that affirmative action in South Africa is redressing inequalities between races while failing to deal with inequalities within races which is on the increase. Citing poverty as a rationale for continuation of affirmative action is not acceptable since the elite manipulate the situation for self-enrichment. The rich are ostensibly not interested in alleviation of poverty, but in continuation of poverty so that it can be cited as basis for affirmative action policy (Hermann 2010:17).

Blanchard and Crosby (1989:6) state that affirmative action is intended to strengthen and not to underestimate a properly organised community, and it coerces people to examine the criteria utilised to reward past performances and foretell future performances. They maintain that affirmative action promotes true equality and effectiveness. Tomasson, Herzberger and Crosby (1996:55) are of the opinion that organisations that implement affirmative action programmes do not only give job access to the previously disadvantaged groups, but they do acquire fresh talents. Who are these previously disadvantaged groups who should benefit from affirmative action? The next section provided answers to this question.

2.5 Beneficiaries of affirmative action

The apartheid government in South Africa had a hierarchical structure for the races with the whites at the helm, followed by Indians, coloureds and Africans (IDASA 1995:8). It appears that Africans were the most affected by racial discrimination. Qunta (1995:17) points out that those people who have been declined training, educational and employment opportunities as a result of racial practices should benefit from affirmative action. She also subscribes to the idea that Africans experienced stern treatment in comparison to Indians and coloureds. She concedes the fact that blacks should be given preference with regard to demographics.

According to Dupper (2009:301–302) there are three aspects of disadvantage, namely, race, gender and disability that need to be rectified through affirmative action. He states that

women of all races and the people with disabilities are considered as beneficiaries of affirmative action. Hermann (2007:106) is of the opinion that affirmative action should not distinguish between the designated groups. He asserts that distinction should be drawn on the basis of merits and that representativity should not be prioritised. The researcher proposes that it would be more reasonable to consider the ability of the person to learn how to perform the job especially those who have acquired academic qualifications because merit alone may tend to automatically reject people who have not had the opportunity to perform a specific type of work.

Doverspike, Taylor and Arthur Jr. (2006:172) propose that organisations should place more emphasis on merits and competencies of the beneficiaries which will assist to reduce resistance from those who oppose affirmative action. According to Kellough (2007:89) resistance to affirmative action policy emanates due to a belief that designated groups receive positions as a result of race, ethnicity, and gender and against the selection standards. He recommends that in situations where affirmative action benefits unqualified people, corrective measures should be adopted instantly instead of abrogating the whole programme.

Qunta (1995:19) points out that although white women are regarded as beneficiaries of affirmative action, the segregation against blacks had benefitted both white males and females. Leresche (1993:196) indicates that white females had unrestricted access to educational institutions. Qunta (1995:19) maintains that white females should not be given preference ahead of suitably qualified black persons.

Leresche (1993:195–197) reveals that most of the black women in South Africa are unskilled and find themselves at the lowest rung of the employment ladder in comparison to their white counterparts. The researcher is of the opinion that improving the educational standard of black women should be prioritised as a challenge to be handled through a provision of education and training opportunities to black women.

Faundez (1994:35) points out that race as the major factor for eligibility as affirmative action beneficiary will provoke debates over the continued implementation of the policy. He poses a question in respect of whether poverty should be considered for eligibility for membership. In answering this question the researcher suggests that it would be prudent to consider poverty in conjunction with other elements especially the educational background or experience of

the person concerned. Dupper (2009:308) states that race based affirmative action creates small black elite who undeservedly benefit at the expense of the huge group of blacks who are poor, unemployed, rural and young. Hence, Hermann (2007:71) also warns that if affirmative action creates unrealistic expectations among the majority and “creates new imbalances, it will lead to polarisation”.

Affirmative action has some psychological costs on its targets in that the beneficiaries of the programme engage in self assessment and question their own competencies (Doverspike et al 2006:195). In supporting this argument, Bergman (1996:27–28) asserts that the intended beneficiaries of affirmative action are haunted by widespread assumptions that they do not possess the correct competencies and skills to do the jobs they are given. The above discussion makes it necessary to look into different arguments against affirmative action.

2.6 Arguments against affirmative action

Affirmative action policy is perceived differently in various areas by different people irrespective of whether they are beneficiaries or non-beneficiaries of the policy. The antagonists of affirmative action regard it as quotas, reverse discrimination, tokenism and results in dwindling of standards. It is therefore important to look into all these accusations individually.

2.6.1 Quotas

Kellough (2007:9) points out that the opponents of affirmative action regard “quotas” as the main objective of the programme. Bergman (1996:87) contends that associating quotas with affirmative action objectives or goals is an endeavour to discredit goals by placing them in the same class as quotas. According to Kellough (2007:9) numerical goals and time tables should be considered as an endeavour to advance the equality of opportunities.

Erasmus et al (2005:163) state that quotas set aside positions or occupational opportunities and rewards exclusively for qualified persons from designated minority groups. In terms of the affirmative action initiatives numerical goals and timeframes do not imply that organisations have to employ unqualified people due to their group status. However, preference should be given to designated group members provided they are suitably qualified

for the position (Kellough 2007:7). Bergman (1996:88) insists that affirmative action seeks to limit or curtail people who are excessively privileged in the society especially white men. Setting goals and timeframes is an important task that should not be compromised since the effectiveness of the affirmative action policy implementation is measured against preselected goals and timetables (IDASA 1995:178).

2.6.2 Reverse discrimination

According to Hersch (1993:180) reverse discrimination is the process of reintroducing discriminatory policies in an attempt to eliminate their past impacts. Discrimination has negative effects since it terminates the person's self-esteem and restricts their self-realisation (Qunta 1995:22). Discrimination should be understood as differential treatment of a degrading or prejudicial nature (Du Toit 2009:139). Bendix (2007:436) points out that discrimination takes place when a person is purposefully disadvantaged. She indicates that this is likely to occur when an applicant who is capable of doing the job is intentionally overlooked.

In her book, Bendix (2007:437) recommends that all candidates for employment positions should be afforded the equal opportunities to contest and to be judged in terms of uniform preselected standards. Du Toit (2009:149) holds that discrimination on the basis of the inherent requirements of the job does not constitute unfair discrimination. The opponents of affirmative action regard it as reverse discrimination since the white males are not able to compete with the previously disadvantaged groups due to preferential treatment (Kellough 2006:88).

Hermann (2007:63) points out that the whites who never benefited from the past apartheid system are becoming victims of preferential treatment and may never benefit. Arvey and Faley (1992:114) protest that affirmative action should not unfairly encroach on the interests of employees and must not segregate against the previously disadvantaged groups. The implementation of affirmative action policy is paradoxical in that it needs the identification of people on the basis of their race and sex whereas it is intended to eradicate employment decisions made on the basis of race and sex (Doverspike et al 2006:3). The researcher is of the opinion that the identification of people by race with a purpose of subjecting them to

serious racial practices will portray the organisation in the bad light but if it is for the purpose of rectifying past imbalances then it should be embraced with enthusiasm.

Sikhosana (1996:68) contends that to consider affirmative action as reverse discrimination could only be convincing in circumstances where discrimination never took place against the previously disadvantaged groups. The researcher agrees with this notion in a sense that if affirmative action is applied in a punitive manner against the non-designated groups then it would be considered as reverse discrimination. Since unfair discrimination has curtailed opportunities for the previously advantaged groups, justice requires some form of compensation for the damages incurred (Kellough 2006:77). According to Dupper (2009:302) it is imperative to take into consideration the magnitude of disadvantage suffered by women, Indians, Coloureds, Africans and disabled people in the process of implementing affirmative action measures. Hermann (2007:43–44) emphasises the importance of examining the socio-economic background of those who are expected to benefit from affirmative action policy. Rycroft (2009:316) asserts that the beneficiaries of affirmative action must indicate to have been victims of unfair discrimination.

Qunta (1995:22) states that affirmative action does not mean that whites are incompetent in comparison to their black counterparts, but implies that the whites will no longer be the only group that is having access to all the high level positions and that provisional preference will be given to the qualified blacks in order to rectify the previous imbalances. Singh (1996:53) suggests that affirmative action differentiates in terms of what is pertinent and just since the unequal are treated differently. Affirmative action is designed to have good effects since it strives to remove the aftermaths of racial policies (Qunta 1995:22). Masiloane (2001:87) asserts that affirmative action should not result in a situation whereby whites are denied promotional and developmental opportunities in an attempt to advance the designated groups. He argues that affirmative action does not declare supremacy of the designated group over the non-designated group.

Faundez (1994:4) argues that discrimination takes place when morally irrelevant characteristics of people such as race and sex are taken into consideration for employment. Following from the above statement the researcher is of the opinion that without a use of clear cut status such as race and sex it would be difficult to achieve demographic representation or advance the previously disadvantaged people. Race and gender provides

clarity to organisations in order for them to comprehend how far they can go in terms of striving to accomplish affirmative action objectives. The antagonists of affirmative action are of the opinion that the programme is not the correct form of compensation for the victims of unfair discrimination (Faundez 1994:4). Masiloane (2001:91) concludes that the designated groups would not have a good opportunity to compete with the whites in the absence of affirmative action policy measures.

2.6.3 Falling standards

Affirmative action is associated with falling standards because opponents of the policy assume that if appointment is not based on merit, standards will drop (Qunta 1995:25). In his book, Madi (1993:35–37) attempts to understand which standards should be maintained and which ones are being lowered by affirmative action. He states that the previous employment practices could not be regarded as setting high or good standards due to their discriminatory nature. He contends that if there is any organisation that lowers or relaxes the standards in order to accommodate unqualified or incompetent black people, they should also reap poor results.

Masiloane (2001:95) states that perceptions regarding the lowering of standards are dependent on the manner in which the individual concerned is affected by affirmative action. He points out that beneficiaries of affirmative action depict the policy in the positive light whereas the non-beneficiaries view it negatively. He resists generalisation in terms of race due to individual failures to perform their tasks or work, and concludes that issuing such remarks may be very detrimental or prejudicial against the designated groups. Blanchard and Crosby (1989:5) emphasise that if the organisation needs to be perceived as being just, the affirmative action standards must be seen as appropriate and effective.

2.6.4 Tokenism

Tokenism takes place when an institution promotes or appoints blacks into higher positions without ensuring that they have obtained the necessary skills in order to take proper decisions in their positions (Innes 1993:15). Tokens are the black employees in a dominantly white workgroup. Tokenism is a concept utilised to refer to the employees who gained their positions through affirmative action whereas they do not satisfy the employment

requirements. Perceptions of justice in recruitment procedures will result in reduced tokenism effect (Singer 1993:136–137).

Clayton and Crosby (1992:105) state that affirmative action principles become perverted when the programme is utilised to absorb people into the organisation who are unqualified and cannot do the job appropriately. They also indicate that tokenism engenders a negative attitude towards affirmative action and results in negative stereotypes about the previously disadvantaged groups. In order to minimise the effect of tokenism, training programs should be designed to curtail prejudice and discrimination within the organisations (Singer 1993:137). More importantly it is necessary for organisations to implement critical affirmative action initiatives such diversity management and training programmes which are discussed below.

2.7 Pertinent initiatives to affirmative action

There are two important programs that are very instrumental in driving the effectiveness of affirmative action policy: diversity management and training development. Clarity and evidence are presented below in order to provide complete comprehension with regard to the relevance of each programme.

2.7.1 Diversity management

Successful implementation of affirmative action implies that the workforce of the organisation will be composed of different people from various cultures which require the introduction of diversity management initiatives. Diversity management is defined as “maximising the ability of all employees to contribute to organisational goals and to achieve their full potential unhindered by group identities such as gender, race, nationality, age and departmental affiliation” (Cox in Pons & McGregor 1994:98). Human (1993:71) asserts that management of diversity forms an integral process of managing the people and is pivotal to the effectiveness of affirmative action policy. She accentuates the importance of removing stereotypes of different racial groups. She defines stereotypes as an unfairly fixed mental perception of a group, a person or an object.

Paragraph 3.2.5 of the White Paper on Human Resource Management in the Public Service of 1997, indicate that cultural diversity is more than acclimatising people from various cultural backgrounds to the existing corporate culture, but it needs the prevailing institutional culture to be revolutionised as an answer to diverse cultures of employees within an organisation. In support of the idea, Doverspike et al (2006:181) state that diversity goals need to be integrated into the prevailing organisational practices relating to personnel management. Organisations should focus on the recognition of diversity and cease searching for commonality (Fuhr 1993:90). Supervisors within organisations should ensure that information about new employees' capabilities and experience is disseminated to the current employees. The provision of long and critical opportunities for interdependent work projects can encourage positive beliefs among the workforce (Tomasson et al 1996:77–78).

Human (1993:77) suggests that diversity can be accurately attained where there is acceptance of the principle of unity, equality, and when true endeavours are being made to provide development opportunities so that people can compete based on merit and implant a belief that is not linked to gender and racial stereotypes. She indicates that the most important step is the management of one's own stereotypes and prejudices that contribute to damaging self-confidence and self-esteem of the colleagues. In support of this argument, Human, Blues and Davies (1999:119) also stress the necessity for personal management and the importance of developing a common method with regard to the management of heterogeneous individual identities. They recommend that emphasis should be placed on organisational culture in order to ensure successful management of diverse workforce and deal with racism and sexism which engender stereotypes. The development of cultural diversity is a very indispensable tool in developing effectiveness, efficiency and stability within the organisation (South Africa 1997:15).

The benefits of effective diversity management process include, improved creativity and innovation; effective problem-solving; and alluring and keeping the best available talent (Pons & McGregor 1994:100). Kellough (2007:78) asserts that heterogeneity within an organisation results in increased productivity and greater performance by workers. Tomasson et al (1996:74–75) protest that having hired diverse workforce does not guarantee success and good news. They point out that it is imperative to acclimatise new employees, monitor their advancement and retention. They emphasise the importance of the integration of the non-

designated group within an organisation. This will ensure that blacks and whites do not experience alienation and discrimination at the workplace.

In order to effectively implement diversity management program, Pons and McGregor (1994:100) propose the following steps: assessment and identification of critical aspects of the corporate culture, and the involvement of top management in order to obtain their devotion and provide leadership. Doverspike et al (2006:180–181) emphasise the need for obtaining the commitment of the top managers since the superiors are believed to be having more influence on the attitudes of their subordinates. Fuhr (1993:91) presents a different idea by stating that diversity management is susceptible to the process of engineering and manipulation whereby the managers may co-opt their black subordinates into accepting their own values and norms. He recommends that a multi-vision approach be adopted which takes cognisance of the diverse needs and desires of the organisation while addressing conflicting goals and objectives.

Doverspike et al (2006:181) suggest that once clear diversity goals have been set, the organisation's decision-makers should collect information on the satisfaction of the majority in the organisation and monitor their representation in various levels of the organisation. Diversity programmes should be succinctly communicated to all employees in the organisation and individual roles should be clearly stipulated. Regular evaluation of the programme is essential in order to ensure continuous improvement (South Africa 1997:16). In developing the diversity strategy the management should incorporate aspects related to educating and training employees about diversity management, enforcement of standards in order to remove all forms of sexism and racism (Pons & McGregor 1994:100–103). They conclude that in order to determine the efficacy of the strategy, a follow up has to be conducted. This will most importantly help to identify accountability for outcomes and create a clear mechanism for the assessment of effectiveness.

2.7.2 Training and development

Mulenga and Van Lill (2007:30) point out that apartheid which set aside better education and training for the white minority, and denied the black majority of skills, has contributed to the shortage of skilled human resources. Jain, Sloane and Horwitz (2003:39–40) assert that improvement in racial and gender representation in the workplace has to be supported by

clear human resource development plans through skills development legislation and ensuring that the organisational culture is revolutionised. Education and training is critical in order to ensure the effectiveness of affirmative action initiatives and attaining economic developments (Bendix 2007:445). Training should not only cover the designated groups – it should be non-racial, non-gender based with adequate number of trainees from designated groups (SACOB 1994:3).

According to Mulenga and Van Lill (2007:31) organisations are required to target applicants from designated groups in order to satisfy the requirements of the Employment Equity Act 55 of 1998 which calls for appropriate consideration of job applicants from the historically disadvantaged groups. In determining the organisational progress in affirmative action, its endeavours with regard to education and training should be considered in the serious light of the representativeness of its workforce or manpower (Bendix 2007:445). The South African government encourages the employers or organisations through the Skills Development Act 97 of 1998 to utilise the workplace as an active learning environment (Mulenga & Van Lill 2003:31). Bendix (2007:445) accentuates the fact that organisations need to support adult literacy and education programmes and interact with training institutions in order to provide inputs and support.

In the process of applying various initiatives relevant in the implementation of affirmative action policy, it is vital to gain a good comprehension of the theories underlying this policy. Pertinent theories in relation to the successful implementation of affirmative action are described and explained below.

2.8 Theories that underpin affirmative action

Three major types of justice theories which are found to be relevant to the design and implementation of affirmative action policy are: distributive (outcome) justice, procedural justice and interactional justice (Doverspike et al 2006:21). It is also imperative to dissect each theoretical perspective separately in the process of analysing their importance to affirmative action.

2.8.1 Distributive or outcome justice

Doverspike et al (2006:22) mention that the distributive justice pays attention to the results of the policy implementation. Faundez (1994:6) asserts that distributive justice provides an appropriate justification for affirmative action. Distributive justice is concerned with fair allocations of rewards and burdens within the community or amongst the people (Capeheart & Milovanovic 2007:29). According Rescher (1982:8) distributive justice should not prescribe what ideal option is, but has to indicate which of the most options is to be considered as satisfactory. Equity and cognitive theory are the two theories that assist in the evaluation of the justice or outcomes (Doverspike et al 2006:22).

In terms of the equity theory the person will compare his/her own merits and benefits to that of the referent person with the sole purpose of establishing fairness (Doverspike et al 2006:23). They state that in instances whereby the experience and skills of the beneficiaries (blacks) of affirmative action are similar or equivalent to the non-beneficiaries (whites) and blacks are given the opportunity ensuing in a situation regarded as soft preferential treatment. Erasmus et al (2005:165) point out that if the experience and skills of the whites surpass those of blacks and blacks should be given preference, the resulting situation will be hard preferential treatment.

Crosby (2004:39) is of the opinion that treating people differently due to their race, origin, sex or gender contravenes the rule of distributive justice. She states that in terms of this principle the people feel that their outcomes should be commensurate to their inputs – educational level, experience, and skills. She warns that if the people with less training, capability, skills and experience are given equivalent or better rewards, frustrations and anger may result. According to Chelladurai (2006:125) distributive justice is the major source of conflict within organisations since it is concerned with the allocation of conditions and goods that have an impact on the psychological, economic, physiological and social well-being of the people.

In terms of the cognitive theory resentment increases when people are of the opinion that they could have been advantaged if a just procedure had been applied. Cognitive theory involves the assessment of policies applied in attaining results. It provides proper comprehension as to why the non-beneficiaries of affirmative action resent the policy (Doverspike et al 2006:24).

Lucy (2007:261) suggests two important principles: firstly, each individual should have equal rights to the basic freedom congruent to the freedom of his/her fellow men. Secondly, the balance should be found in order to ensure that social and economic inequities are reasonably considered to be to everyone's benefit.

Christman (2002:61–62) states that in order to attain justice people should be afforded equal economic and social opportunities. In supporting the above idea, Reamer (1993:27) contends that equity forms the core of distributive justice and in order to achieve equity and reduce inequality, the ratio of inequality has to be dealt with and the advantage of those who are privileged minimised. In order to promote fair competition, the socio-economic background of two people of equal talents and ability should be taken into consideration so as to remove social inequalities, and the person who is worse off should be uplifted instead of the person who is better off or privileged (Rawls 1993:81–82). The principle that the equals should be treated equally and the unequal unequally as expressed by Christman (2002:61) should not be interpreted and applied to the detriment of the previously disadvantaged groups.

2.8.2 Procedural justice

Procedural justice refers to the extent to which persons affected by allotment of resources or rewards perceive that the organisation made the distribution in terms of just methods and guidelines (Chelladurai 2006:132). Procedural justice is based on the consideration to the aspects of the policy utilised to make decisions about employment resources (Doverspike et al 2006:25). George and Jones (1996:180) indicate that people react to the procedures followed in allocation of rewards.

Doverspike et al. (2006:25) and Chelladurai (2006:133) state that there are six core principles that support procedural justice, thus:

- Consistency which indicates that allotment procedures should be uniformly applied to all persons and overtime.
- Bias suppression means that decision-makers should remove personal interest or influences in the allotment process.
- Accuracy implies that timeous and correct information will be utilised in making allocations.

- Representativeness means that the allotment process will reflect the concerns of the recipients.
- Ethicality means that the distribution of must adhere to the ethical and moral standards of the society.
- Correctibility suggests that decision makers may inadvertently contravene one or more of the principles and make allocation errors.

Arvey and Sacket in Doverspike et al (2006:26) state that the extent to which one is convinced the consistency principle is contravened in affirmative action is dependent on how one views the relevance of merit as criterion in employment decisions. Procedural justice holds that employees will be motivated when they perceive procedures utilised in making decisions about the allotment of rewards as just (George & Jones 2006:180). However, impartiality remains the critical element of determining fairness and the establishment of legitimacy (McCluskey 2003:31). George and Jones (2006:181) propose that in order to maximise fairness in procedures, managers within the organisation should provide clear explanations to the workers in terms of how they examine inputs, how performance appraisal is done and how decisions are made in distribution of rewards such as promotions. This implies that continuous communication is necessary between the supervisors and subordinates.

Lucid and sufficient information must be supplied for applying policies which appear to be equivocal in distribution decisions (Doverspike et al 2006:27). Hence George and Jones (2006:182) maintain that when the perceptions of procedures by workers are regarded as unfair the results will be a reduction in the motivation of employees. Individuals who are afforded the opportunity to give their inputs into the procedures taken for the allocation of rewards are likely to perceive procedures to be fair (Chelladurai 2006:137).

2.8.3 Interactional justice

Interactional justice means the type and way of explanations for the allocation of rewards and the procedures thereof (Chelladurai 2006:133). Interactional justice adopts an analytical perspective since it focuses on interpersonal treatments people receive when the policy is implemented and question whether procedures are justified and explained (Doverspike et al

2006:28). Masterson, Byrne, and Mao (2005:79) state that interactional justice can be divided in to two different dimensions: interpersonal and informational justice.

Interpersonal justice refers to the degree to which the person is treated with dignity and respect (Chelladurai 2006:134). It also involves displaying concern, kindness and taking the views of others into cognisance (Masterson et al 2005:79). Informational justice refers to the degree to which enough information is honestly provided to explain procedures and the final results (Chelladurai 2006:134). Informational justice should reflect truthfulness and justification (Masterson et al 2005:80).

Interpersonal justice may prove to be very essential when communicating the affirmative action strategy to the beneficiaries and non-beneficiaries of the policy. The overall views of those who are affected should be generally taken into account which is in line with interpersonal justice. Beneficiaries and non-beneficiaries of affirmative action should be given reasonable explanation for decisions taken. Communication of affirmative action policy should be timeous and clear. Doverspike et al (2006:29–30) emphasise the importance of constructing the message in such a manner that it will rouse the interest of the recipients.

When managers engage fairly due to personal character as far as decision and communication are concerned, the organisation will benefit since employees will perceive fairness (Masterson et al 2006:80). In support of this view, Doverspike et al (2006:30) state that if an individual who communicates information about the policy, his/her character may become an influence which implies that the person appointed to implement affirmative action may have implications in terms of how the policy is accepted.

The review of literature without a due consideration of the significant steps in the implementation of affirmative action would be incomplete; hence the next section is devoted to the discussion on aspects involved in the implementation of affirmative action.

2.9 Aspects involved in the implementation of affirmative action

Significant issues involved in the successful implementation of the policy are: consultation, assigning of responsibility, manpower analysis, review of personnel policies and practices,

communication, awareness and training, setting objectives, evaluation and monitoring. Each aspect in this respect is fully described and evaluated below.

2.9.1 Consultation

Section 16 of the Employment Equity Act 55 of 1998 requires the employers to consult with representative trade unions, workplace forums or any representatives appointed by workers. Doverspike et al (2006:179) indicates that consultation with the employees and giving them the opportunity to express their concerns breeds trust and respect. They also point out that consultation creates a feeling of participation and control over the process by organisational members. It is also recommendable that workshops be held whereby affirmative action is discussed and employees are allowed to voice their views (IDASA 1995:176).

Section 17 of the Employment Equity Act demands that employers should consult employees on: the conduct of the analysis of employment policies, practices, procedures and working milieu, in order to point out employment obstacles which seriously affect the people from designated groups; an analysis of the employer's workforce within each occupational category and level with a view to establish the extent of underrepresentation of people from designated groups; the preparation of the employment equity plan; and the submission of the employment equity report in terms of section 21 of the Employment Equity Act. Montesh (2010:65) reveals that it is the task of the employment equity manager to ensure that all the matters indicated above are dealt with and ensure that corrective measures are taken where errors are identified.

It is imperative to make affirmative action policy and subsequent changes to it available for deliberation by all employees whereby criticisms should be accepted without bitter feelings (IDASA 1995:176). Non-beneficiaries will be greatly interested in assessing the affirmative action procedures whereby they will evaluate and discuss the implications of affirmative action policies (Doverspike et al 2006:176).

2.9.2 Assigning responsibility for implementation

The general manager or employment equity manager remains accountable for the successful implementation of affirmative action although he/she may delegate the responsibility

(IDASA 1995:167). Montesh (2010:63) suggests that in order to succeed in the performance of his/her duties, the employment equity manager should have the following: the relevant authority or mandate to undertake her duties; sufficient budget for the facilitation of the implementation employment equity plan; time off from work and commitment to advance the employment equity plan; and unlimited access to pertinent information and resources.

According to Faundez (1994:46) the main task of the affirmative action coordinator involves policy development, monitoring, training, reporting and liaison with government representatives and external stakeholders. The affirmative action task group appointed by employees should act on advisory capacity in consultation with the employment equity manager or affirmative action coordinator (IDASA 1995:177).

2.9.3 Manpower analysis

Manpower analysis implies the listing of jobs within every department or organisational section indicating the overall employees and the total number of beneficiaries for every job category (Faundez 1994:42). By conducting a workplace profile the employer will be able to establish the extent of underrepresentation of workers from the designated groups at all job levels, which would help the organisation to set realistic targets (Montesh 2010:65). According to McGregor (1993:99) manpower analysis is necessary in order to forecast internal retention and movement of employees within the organisation and to ascertain the future supply of employees. She states that a learning environment should be created for the people from previously disadvantaged groups or affirmative action beneficiaries.

2.9.4 Review of personnel policies and practices

The prevailing human resource policies and practices will have to be reviewed every three years in order to align them with affirmative action objectives. Selection criteria should be formulated in such a manner that no high qualifications and extensive experience are required whereby the results will be to the detriment of women or blacks from consideration for employment (IDASA 1995:177). Doverspike et al (2006:175) state that the adjustment of affirmative action procedures with a view to accommodate both beneficiaries and non-beneficiaries will result in high perceptions of fairness or justice on the part of the employees. Hence it is critical to ensure that if no individual for the designated group is selected for the

advertised post, a report should be immediately submitted to the employment equity manager (IDASA 1995:178).

Obvious discrimination has to be abrogated accordingly and the following factors have to be rectified: perceptions that certain duties (e.g. driving) can only be done by men, must be challenged on the ground of justice; selection criteria that have indirect impact against certain categories of people and which are not relevant to the job performance must be removed; selection tests which seem to favour a specific cultural group should be discontinued (SACOB 1994:3).

2.9.5 Communication, awareness and training

Every person within the organisation should be given a policy document on affirmative action and be afforded the chance to raise complaints and ask for better explanations (IDASA 1995:167). Montesh (2010:64) indicates that the employment equity managers should ensure that: all workers have been informed of the contents of the Employment Equity Act; all workers should be sensitised about the employment equity and antidiscrimination laws; it is determined that people are aware of the procedures to be followed; and the people should be informed about the importance of participation.

According to McGregor (1993:98) monthly publication of articles on affirmative action and what the organisation is currently doing in terms of affirmative action is a very crucial manner of communicating with employees. She accentuates the fact that the method of communication referred to above will allow the organisation to provide answers to the questions that employees may have asked. Faundez (1994:45) asserts that in order to successfully spread information within the organisation methods such as manuals, handbooks describing aspects of affirmative action, training courses for employees and meetings are essential.

2.9.6 Setting the objectives

Setting reasonable and attainable goals against which the success of the affirmative action policy will be evaluated is very critical (IDASA 1995:178; Faundez 1994:43). The objectives should be appropriately linked to the timeframes (Faundez 1994:43). Numerical goals should

be developed with the sole purpose of appointing and promoting people from designated groups (Montesh 2010:66). Faundez (1994:43) stress that numerical goals and timetables should be based on accurate workforce representation and other pertinent information.

Montesh (2010:66) recommends that in developing the numerical goals the organisation should amongst other things consider the extent of underrepresentation of employees from designated groups in all occupational categories and levels; the current and future vacancies; and economic and financial position of the employer.

2.9.7 Monitoring and evaluation

Faundez (1994:46) states that the affirmative action coordinator has to establish and implement effective monitoring and evaluation procedures. Supervisors and managers should provide their reports on the implementation of affirmative action measures or objectives (IDASA 1995:178). According to Faundez (1994:46) appropriate monitoring and procedures will lead to corrective steps necessary for developing more realistic goals and these should make it possible for the top management to evaluate the impact of affirmative action policy on workers and the organisation. Managers should consult with those people who have been delegated to implement affirmative action measures whereby information should be freely shared (IDASA 1995:178). In support of this view, Faundez (1994:46) maintains that “effective internal monitoring procedures will greatly facilitate compliance with the more formal official reporting requirements of the organisation”.

2.10 Summary

From the above discussion, it is clear that South Africa has important lessons to learn from various countries that have implemented the affirmative action policies. It is significant for South African institutions and organisations, especially the SAPS, to implement affirmative programmes meticulously so as to avoid repeating the mistakes which were made in other countries who have adopted a similar policy. From the experiences of the United States of America and Canada in applying affirmative action, the researcher noticed that it is vital for affirmative action to deal with poverty amongst the disadvantaged groups while also providing training and educational opportunities. India’s experience suggests that the government needs to sensitise all those who are positively or negatively affected by

preferential policies in order to ensure that those policies are well embraced and implemented correctly. Britain's approach to affirmative action shows that the implementation of preferential policies which are left to the voluntary implementation by an institution creates opportunities for contraventions and non-compliance. The South African government needs to monitor compliance with affirmative action policy by setting up a compliance office in order to monitor organisations such as the SAPS. Uniformity in the application of the preferential policies is crucial for South Africa as shown by Malaysia's experience. In addition, the implementation of affirmative action measures should not be perceived as punitive culminating in the emigration of non-beneficiaries to other countries because they cannot be accommodated. The government should ensure that the implementation of affirmative action is appropriately applied to ensure that irregularities such as fraud, nepotism, favouritism and corruption are prevented and controlled as illustrated by Zimbabwe's experience.

The experiences of both Namibia and Zimbabwe show that it is a serious error to allow the organisations or institutions to decide on how to implement preferential policies. The government should play a leading role and enforce affirmative action measures in all the public service institutions. Non-compliance should be addressed and strict regulations should be in place that should hold the senior executive office bearer accountable for non-compliance.

Different authors on labour-related issues have indicated that the history of South African labour relations plays a vital role in terms of how affirmative action policy is implemented, and how unfair discrimination is dealt with by organisations. It has been stated that affirmative action started back in 1922 after the white miners went on strike which became famously known as the Rand Rebellion. Various legislations were promulgated with the purpose of advancing the interests of the white people at the expense of the black majority.

Blacks were denied development and training opportunities. They were kept as low as possible at the lowest rung of the organisational ladder while they were also paid the lowest salaries in comparison to their white counterparts. Discriminatory practices were supported and nurtured by the government of the day. The apartheid government declared two separate labour statutes, the Black Labour Relations Act 48 of 1953 for the blacks and the Industrial Conciliation Act 28 of 1956 for the white workers. The situation was reasonably altered when

the political prisoners were released and the unbanning of political parties such as African National Congress (ANC), South African Communist Party and Pan Africanist Congress (PAC) in the 1990s. Non-discriminatory labour statutes were adopted at the beginning of the democratic dispensation in 1994 to rectify the damage done by the apartheid government.

Affirmative action was pointed out as the appropriate policy to deal with the negative ramifications of discriminatory labour practices. Affirmative action became more indispensable to ensure that people who were excluded from employment opportunities by racial laws are included. It is designed to eliminate the employment obstacles in order to accommodate people from the designated groups. It is intended to reduce or alleviate poverty among the previously disadvantaged groups by affording them proper socio-economic opportunities.

In an endeavour to advance the interests of the blacks through affirmative action care should be taken to ensure that it does not create some socio-economic inequalities within designated groups. The policy must not be manipulated by the elite who may enrich themselves at the expense of the poor majority who require socio-economic upliftment. The rural, poor and qualified individuals should be given preference through the affirmative action measures. Organisations should refrain from setting unreasonably high requirements for the position with the purpose of intentionally excluding members of the designated groups who are qualified. However, this does not imply that organisations should give positions to people who are unqualified and incompetent. The affirmative action policy should be implemented in such a manner that it does not completely leave out the members from non-designated group especially the white males. A balance needs to be established in the process of advancing the interests of black people. If the affirmative action policy is well managed it will assist in dispelling the negative attitudes towards the beneficiaries of the policy.

The antagonists of affirmative action policy equate it with quotas, reverse discrimination, falling standards and tokenism. Affirmative action cannot be regarded as quotas simply because numerical goals and timeframes are set prior to the implementation of the policy. Numerical goals and timetables are essential in helping the organisation to determine the progress made by the institution in advancing the objectives of the policy. Reverse discrimination arguments cannot be sustained since affirmative action is aimed at inclusion rather than exclusion. Affirmative action policy seeks to rectify the damages of the past by

giving preference to the people who were historically overlooked. The policy does not allow the organisations to give positions to people who are incompetent under the guise of affirmative action because such a practice would lead to the dropping of standards in service delivery and diminished efficiency. Incompetent and unqualified people in positions which they do not deserve will be regarded as tokens. Appointment of designated members to higher positions should not only be for the purpose of satisfying the requirements of the Employment Equity Act, but should be for empowering the blacks through thorough training prior to appointment into prominent positions.

In order to minimise resistance to affirmative action policy two important initiatives become very critical: diversity management, and training and development. Diversity management has to be conducted in such a manner that it promotes the integration of the designated groups and non-designated group within the organisations. In order to quell the negative stereotypes about the blacks within the organisations, the experience, capabilities and skills of the new job incumbents from designated groups should be published to all employees within the institution. The involvement of top management is crucial for the successful implementation of the initiative. Effective diversity management processes result in improved creativity and innovation, effective problem-solving, luring and keeping the best available talent. Diversity initiatives must be supported by proper training programs.

Training and development programs should target people from the designated and non-designated groups. However, it is imperative to ensure that black trainees are the dominant group. The organisations must be willing to invest in the development of their human resources. The workplace must be utilised as the active learning environment for the employees. Human resource training forms the core of the affirmative action policy since blacks were denied training and educational opportunities under the apartheid labour laws. Developmental opportunities must be equitably and procedurally distributed among the workers within the organisation.

In an attempt to allocate rewards to the beneficiaries of affirmative action three major theories were identified as indispensable: distributive, procedural and interactional justice. According to distributive justice people will perceive fairness or justice where the black person who is equally qualified and experienced as his/her white counterpart is given the position instead of the white person. Unfairness is likely to be perceived by the non-

beneficiaries of affirmative action when the black person who is less qualified and without experience is appointed to a position at the expense of the white qualified and experience candidate.

Procedural justice states that people will assess or examine the procedures which are utilised in awarding positions to the beneficiaries of affirmative action. It is therefore, important to communicate clearly the criteria applied in identifying the beneficiaries of affirmative action. Procedural justice is supported by six core principles which are: consistency, accuracy, bias suppression, representativeness, ethicality and correctibility. It is suggested that when justice is perceived in employment decisions the motivation of employees improves.

Interactional justice requires explanations to be provided in terms of how employment decisions are taken. Interactional justice is subdivided into interpersonal and informational justices. Interpersonal justice is concerned with treating the designated and non-designated groups with dignity and respect. Informational justice dictates that accurate and relevant information should be communicated to the beneficiaries and non-beneficiaries of affirmative action. In order to comply with the requirements of the above theories of affirmative action, seven most significant aspects of the policy must be fully considered and adhered to.

Consultation, assigning of implementation responsibility, workforce or manpower analysis, review of personnel policies and practices, communication, awareness and training, setting the objectives, monitoring and evaluation forms an integral part of affirmative action policy implementation. Continuous consultation and communication with the representatives of employees such as trade unions must be promoted in order to debate and discuss the significance of the affirmative action policy within the organisation. The affirmative action coordinator who has been assigned the responsibilities for policy implementation must be allocated sufficient resources in order to function optimally. It is also essential for the organisation to conduct manpower analysis and identify employment obstacles to the designated groups, remove such barriers when a review of personnel policies and practices is conducted. The specific, measurable, attainable and realistic goals should be set within a specific timeframes. The progress made in policy implementation should be measured against the set objectives during the evaluation and monitoring process of the policy. The next chapter deals with the methodologies and techniques utilised in gathering data.

CHAPTER 3

RESEARCH METHODOLOGY

3.1 Introduction

This chapter presents the methods of data collection that are applied in gathering information. The importance of selecting the research methods lies in the fact that the researcher is able to establish whether the issue he/she is attempting to research can be investigated through the available research tools. The objectives of the research are restated in this chapter in order to justify the fact that the selected research methods are viable in attaining the research goals. Two important research approaches are discussed with specific focus on their strength and weaknesses. An appropriate description and explanation of research design is given. The qualitative data collection tool such as document study and the empirical data collection instrument in the form of questionnaires are fully discussed. A further exposition is made with regard to the manner in which the sample has been drawn. The chapter concludes by stating how data has been captured, analysed and interpreted.

3.2 Objectives of the research

The major aim of this research (see section 1.6) is to describe and explain the strategies through which the South African Police Service (SAPS) implement affirmative action measures and address unfair discrimination. In view of the above statement, the following objectives have been stated: to identify challenges or problems encountered by the SAPS during implementation of affirmative action policy; to propose ways and strategies through which the SAPS can manage, prevent and address unfair discrimination in the personnel staffing processes; and to assess and describe the criteria utilised by the SAPS in identifying the beneficiaries affirmative action as indicated in section 1.6 in chapter 1.

In order to attain the above stated objectives the researcher has identified various data collection methods that are discussed below.

3.3 Research approaches

Among the various research methods, Public Administration researchers use two distinct research methods known as quantitative and qualitative research methodologies. In this

research the qualitative method has been applied to provide answers to the research questions. It should be noted that the qualitative survey research was conducted whereby the qualitative descriptions and explanations in the form of motivations or quotations were made in order to provide answers to the main research objectives. Both qualitative and quantitative methods are precisely discussed and assessed below.

3.3.1 Qualitative research

According to O'Sullivan, Rassel and Berner (2008:493) qualitative research involves "detailed, verbal descriptions of characteristics, cases and settings". Qualitative method concentrates on everyday life of persons and also grounded on the conviction that knowledge is socially constructed (Holloway & Wheeler 1996:1). Bouma and Ling (2010:169) assert that qualitative affords the researcher an opportunity to interact with participants in research, and that it is also possible to make changes or adjustments as the research continues. In support of this view, O'Sullivan et al (2008:39) indicate that the research design of the qualitative researcher is more flexible because even if the research may have a succinctly defined methodology and plan of action, the researcher may change the design as the research advances. Qualitative research is more useful where less is known about the area of research and the specific problem or situation because the researcher can divulge the processes that transcend surface appearances. It gives proper and clear perspectives on known areas and ideas (Holloway & Wheeler 1996:2).

Research utilising qualitative approach usually find more in-depth, detailed information on lesser cases (O'Sullivan et al 2008:39). Qualitative research places emphasis on quality and credibility (Cottrell & McKenzie 2011:241). Henning, Van Rensburg and Smith (2010:6) state that qualitative research provides a thick description of the phenomenon in that the researcher converts the raw empirical data into coherent information that provides more than facts and empirical content but translates data in the light of other sources of information. Thick description assists the researcher to develop an active role in the research since knowledge is shared between the reader and the researcher. Qualitative approaches are linked with observation, listening and questioning. Qualitative inquiry has the potential to trace developments and progress over a specific period of time as perceived by the research participants (Holloway & Wheeler 1996:7). The researcher utilising the qualitative method should be capable of recording information immaculately, write legibly, separate trivial from

indispensable details, and draw proper conclusions from the information (O'Sullivan et al 2008:40).

The most unique aspect about the qualitative method is that it embraces the concept of triangulation – the use of more methods in the study of one phenomenon. Triangulation is subdivided into triangulation of data – the use of different sources for the research; investigator triangulation (using more researchers); theory triangulation (using many perspectives for one set of data); methodological triangulation (using numerous methods for one problem; interdisciplinary triangulation (considering the same problem from various vantage points) (Gabrielian 1999:169). Triangulation signifies that approaching a problem from different angles helps in successfully finding accurate and appropriate solutions (Henning et al 2010:103). Triangulation is based on the ground that no single method can sufficiently answer a research question and therefore, numerous forms of data collection and analysis are pivotal. The main aim of triangulation is not to obtain the same results through different data sources but to ensure consistency (Cottrell & McKenzie 2011:242).

Qualitative research “sets out to provide an impression: to tell what kind of ‘something’ there are; to tell what is it like to be, do or think of something” (Bouma & Ling 2010:165). The qualitative researcher assume a person-centred and holistic approach which enables him/her to communicate and interact effectively in order to obtain adequate knowledge and insight about human beings or phenomena. The qualitative method concentrates on people in their social and cultural context, not just on particular conditions (Holloway & Wheeler 1996:2–3). Maykut and Morehouse (1995:13) also point out that qualitative researchers treasure context sensitivity, which means comprehending an event in all its intricacies and within a specific situation and milieu.

Qualitative research can be categorised into interpretive and critical research. Interpretive research suggests that the experiences of people are importantly context-bound, which implies that they cannot be divorced from time and location. As a result the researcher should fathom the socially shaped nature of the world and take cognisance of the fact that values and interests are part of the research process (Holloway & Wheeler 1996:12). The aim is to comprehend the social action setting from the research participant's vantage point (Locke, Silverman & Spirduso 1998:140). Critical research values the generation of new knowledge through research when it is undertaken in a socially responsible manner. The socially responsible research means that critical research must focus on ameliorating the society

through improved comprehension of social mechanisms and empowerment of the participants (Locke et al 1998:142).

The qualitative research method is not without any limitations. The qualitative method cannot answer questions such as “How many?” “How often?” or “What proportion?” because it is not tailored to answer these questions (Bouma & Ling 2010:167). Cottrell and McKenzie (2011:7) contend that it is not easy to generalise the findings from research participants to other groups in qualitative research.

3.3.2 Quantitative research

According to Antonius (2003:2) quantitative methods are procedures and techniques through which numeric data is interpreted and analysed. Quantitative research refers to a “research in which values of variables are characterised by numbers, data is summarised and analysed with statistical techniques” (O’Sullivan et al 2008:493). Statistics are mathematical instruments for controlling, handling and analysing numeric data (Locke et al 1998:124). According to Cottrell and McKenzie (2011:3) quantitative research is utilised to provide answers about relationships among measurable variables or factors. Bouma and Ling (2010:167) point out that quantitative research is intended to provide numeric results that can be presented in tables and graphs. It assists to address questions such as “How many?” and “What proportion?”

Furthermore “quantitative study concentrates on the control of all components or variables in the actions and representations of the participants. Control is carried out in consonant with the researcher’s plans and research design tools. Research subjects or respondents are not at liberty to articulate data that cannot be captured by the predetermined tools” (Henning et al 2010:3). Quantitative research is based on positivism. Positivism is the perspective of science grounded on a conviction of the existence of universal laws and emphasis on objectivity and neutrality (Holloway & Wheeler 1996:10). Positivism is about establishing the truth and proving it via empirical methods. It is the philosophical stance that maintains that the goal of knowledge is to describe and in some designs to predict and explain the phenomenon that people experience (Henning et al 2010:2). Quantitative research designs are not helpful in acquiring detailed information about the context in which the phenomena or behaviours occur (O’Sullivan et al 2008:38–39).

3.4 Research design

Research design involves a thorough, systematic way of data collection which is consistent with methods and ethics of social research (Antonius 2003:26). According to Vogt (2007:8) a research design is a plan for gathering data that can be utilised to answer a research question. The major research question of this study is “How does the SAPS implement affirmative action policy and address unfair discrimination in recruitment and selection processes?” The purpose of this research is to describe and explain strategies through which the SAPS implements affirmative action measures and address unfair discrimination. The research focuses on the challenges faced by the SAPS in implementing the affirmative action policy, addressing unfair discrimination and identifying plausible criteria for identifying affirmative action candidates.

Relevant information for the research has been gathered from the employees of the SAPS in the Pretoria area on how affirmative action policy is implemented. Qualitative research tools are employed to gather information relevant to this research. The qualitative research method applied in this research is survey research whereby a questionnaire was formulated with a purpose of distributing it among the employees of the SAPS. Descriptive and explanatory analysis was made in order to give meaning to information gathered through questionnaires.

Survey research is considered to be more appropriate in researching the aforementioned research question. It is concerned with gathering information from the selected research subjects through their answers to the questions presented to them in a form of questionnaires or interviews (Chambliss & Schutt 2006:137; Schutt 2006:234). In support of this view Kidder (1981:59) asserts that survey research collects information through pre-planned questions that are given to the research subject to answer. The survey design adopted for the purpose of this research is a cross-sectional study. Cross-sectional design is a research design that gathers data on all pertinent variables at one point in time (O’Sullivan et al 2008:27). According to Cottrell and McKenzie (2011:196) and Lee, Benoit-Bryan and Johnson (2011:87) survey research can be used as an important instrument to assess the prevailing attitudes, opinions, beliefs, values, behaviours or characteristics of a particular population.

According to Kelley, Clark, Brown and Sitzia (2003:262) survey research can yield valuable empirical information within a short period of time at the minimum possible cost. They

further argue that information collected through surveys may not be detailed or deeply focused on the subject being researched and may also prove to be extremely difficult to attain maximum responses especially in circumstances where a survey is conducted through post.

The empirical and non-empirical studies were conducted since structured surveys and literature reviews were undertaken. This research is deductive which means that conclusions are made based on statements that follow from such premises and is also inductive which implies that information obtained from sampled cases is utilised to construct the best explanation of an observed phenomenon as explained by Mouton (2001:117-118). The qualitative research methodology is applied to provide descriptive and explanatory analysis of the empirical data. Recent literature that focuses on recruitment, selection and appointing of employees with specific emphasis on affirmative action were consulted.

3.5 Data collection

Data collection is the process of gathering relevant research information in accordance with the research design (Antonius 2003:29). The researcher has gained access to data sources in an ethical manner. The permission to utilise and access data was granted by the Gauteng provincial headquarters of the SAPS in order to facilitate access to information required for research purposes (see Annexure B). Written approval was granted to allow the researcher to use various documentary sources for the purposes of research and distribute questionnaires to the members of the SAPS in Pretoria area. According to Maykut and Morehouse (1995:70) “deceptive and covert practices are not in consonant with the ethical practices”.

The researcher has strived to avoid introducing biases in information as a result of his interaction with the research participants. Mouton (2001:240) recommends that the researcher should endeavour to display a great degree of objectivity and integrity when conducting a scientific research. The researcher has complied with various research ethics in relation to the research subjects when distributing survey questionnaires.

All research participants in this research were informed of the research purpose, conditions and possible consequences of the research. The participants took part voluntarily in this research. Research data was gathered with due regard to the participants’ rights to privacy; rights to anonymity and confidentiality; and the right not to be harmed in any manner (physically, psychologically and emotionally). The data collection techniques employed in

this research are document study and survey questionnaires. The document study and survey questionnaires have assisted in yielding crucial qualitative data or information. The comparison, examination and interpretation of information obtained through different data collection tools or measures during the research conclude the data collection phase. The two techniques are discussed in broader details in the next sections.

3.5.1 Document study

Document refers to a wide spectrum of written and symbolic records including any available material and data (Erlandson et al 1993:99). Written documents and records are the most common documentary sources of data (Holloway & Wheeler 1996:66). According to Strydom and Delport (2005:315) there are various documentary sources which include inter alia, personal documents, official documents, mass media and archival material. Henning et al (2010:99) protest that the gathering of data is frequently overlooked in qualitative research. They emphasise that restricted documents such as records or diaries should be handled meticulously and with ethical considerations. In addition, documents that are found to be relating to the research question should be seriously considered irrespective of their format. Erlandson et al (1993:99-100) recommend that the researcher should not limit him/herself on the number or quality of sources at his/her disposal at the premature stage of the research process but the selection of documents should be tacit and rational. They point out that the design of the research should guide the document search process.

For the purpose of this research official documents of the SAPS such as human resource policies and files have been consulted, after an official permission had been granted to do so. Holloway and Wheeler (1996:67) recommend that permission to access official documents or personal documents should be requested from the people who are vested with the authority of safeguarding such documents. Strydom and Delport (2005:317) indicate that a common hassle in obtaining or accessing official documents is the legislation regulating issues of confidential information.

Printed and audio-visual mass media such as newspapers, journals and television were used as additional sources of data that was integrated into the findings of this research. Mass media information is easily accessed by the public and can be subjective, reflecting the biases of the person who wrote a particular newspaper article, although they are seen as splendid sources of information (Strydom & Delport 2005:317). The researcher must ensure that the

documents meet the set quality standards, thus authenticity, credibility, representativeness and meaning (Holloway & Wheeler 1996:67).

3.5.2 Survey questionnaires

A questionnaire is an instrument that comprise of a list of questions which participants are expected to answer (Antonius 2003:26). Cottrell and McKenzie (2011:195) are of the opinion that surveys are proper ways of obtaining information about a specific group or people and that the results accurately reflect the true opinions or values of the population. Antonius (2003:26) emphasises that the questionnaire should enable the researcher to capture the information that he/she is searching for. He states that every question should be meticulously considered and the formulation must be clear. Poorly formulated questionnaires may yield minimal response rates, unreliable or invalid data and insufficient information (O'Sullivan et al 2008:212). Questionnaires were selected or preferred on the basis that they are more versatile and can be employed to gather data on various issues from a large to a small number of persons (Moore 1983:15). Fowler, Jr (1995:78) states that a good survey instrument should assist in addressing certain sets of research objectives. The researcher is of the opinion that questionnaires are most suitable in attaining the research goals.

Baker (1988:174–175) points out that questionnaires that require the respondents to write down their answers will draw less responses than closed-ended and matrix questions. Writing and designing of questionnaires are critical research craft for the administrative researchers (O'Sullivan et al 2008:212). For the purpose of this research a questionnaire was designed by the researcher (see Annexure A). The factual, opinion and knowledge questions were incorporated as part of the questionnaire. Questions which focus on the same subject were clustered together in order to keep the participants thinking about the similar issue. The questionnaire contained the matrix questions which respondents were expected to answer. According to Baker (1988:174) the matrix questions enable the participant to respond to the set questions with the same type of responses.

The responses to the questions are rated in terms of the Likert scale (or Likert-type scale). This is the 5 point response scale in which individual participants rate their level of agreement or disagreement with a statement provided: ranging from strongly disagree, disagree, uncertain, agree, and strongly agree as described by Gravetter and Forzano (2006:334–335). At the end of the questionnaire the respondents were invited to make

comments in relation to questions or problems encountered in completing the questionnaires. This was necessary in order to afford the respondents the opportunity to highlight important aspects which might have been overlooked when the questionnaire was formulated.

The first drafts of questionnaires were pretested (piloted) at the selected stations in the Pretoria district. Baker (1988:76) is of the opinion that pre-testing the questionnaire should help the researcher to determine its effectiveness and intricacies. He recommends that pretesting should be conducted in the same manner as the main study is contemplated to be done. Strydom and Delport (2005:331) reveal that the aim of the pilot study is to establish whether pertinent data can be obtained from the respondents. They state that it helps in forming good relationships with the participants and also assists the researcher to estimate the costs and time involved in dealing with the challenges that may arise during the main study. According to O'Sullivan et al (2008:213) researchers cannot appropriately examine the clarity of the questionnaire or its completeness without a pre-test.

Questionnaires were distributed and administered to the current employees of the South African Police Service in the district of Pretoria. All questionnaires were distributed by the researcher in person in order to encourage responses thereof. Questionnaires were distributed to the members of the SAPS during the on-duty parades and working hours after obtaining consent from their supervisors. Cottrell and McKenzie (2011:201) also confirm that if the researcher administers the questionnaires to a group in person he/she will obtain high responses and huge amount of data can be collected.

3.6 Sampling

Sampling design is a detailed plan which indicate the type of sample used or an array of units from which the sample is going to be chosen, the number of units needed and the precise method of choosing them (Antonius 2003:108). Gravetter and Forzano (2006:117) point out that a sample is a group of persons chosen from a population that are representative of the target population in the research study. According to Seaberg in Strydom (2005:194) a sample is a "small portion of the total set of objects, events or persons which altogether comprise the subject of our study". The importance of the sample lies in the fact that it affords the researcher an opportunity to determine the tendencies of a large population by conducting a survey on a small group of people. The selection of individuals with particular

qualities of the population under consideration makes the research feasible. The sample has to be adequately representative of the target population in order to generalise the results of the study (Gravetter & Forzano 2006:119).

The quota sampling method has been utilised in this research. According to Castillo (2009) quota sampling is a “non-probability sampling technique wherein the assembled sample has the same proportion of individuals as the entire population with respect to known characteristics, traits or focused phenomenon”. Trochim (2006) reveals that there are two distinct types of quota sampling: proportional and non-proportional. In terms of proportional sampling the aim is to ensure the representation of important characteristics of the population by sampling a proportional number of each. The non-proportional quota sampling requires the researcher to specify the minimum amount of sampled units that he/she wants in every category whereby the emphasis is on having sufficient representation of groups in the population rather than placing a premium on numbers (Trochim 2006).

Moser and Kalton (1977:128) state that in quota sampling the researcher should indicate how many men and women will participate in surveys. They argue that age and gender are widely used as quota controls. Robson (1993:140) is of the opinion that quota samples are susceptible to biases. The common bias in quota sampling is that the researchers are prone to choose people who display little unwillingness to participate and researchers are comfortable to interview, introducing further bias (O’Sullivan & Rassel 1995:128). Robson (1993:140) recommends that meticulous planning experience and persistence can prove to be vital in preventing biases.

Strydom (2005:202) points out that the problem associated with quota sampling is that the selection of people for participation in the sample is left in the hands of the researcher. It is impossible to estimate the sampling mistakes with quota sampling due to the lack of randomness and the researcher may be unsuccessful in obtaining a representative sample of respondents (Moser & Kalton 1997:133). It is difficult to establish what percentage each group should be represented in the sample when targeted population is non-existent (Strydom 2005:202).

The advantages of this research of quota sampling are that it is less expensive and administratively simple whereby the task of random selection is prevented (Moser & Kalton

1977:134; Agriculture and Consumer Protection). Quota sampling does not need a sampling frame and if a selected individual is not present or available when the researcher calls, the researcher simply advances to the next selected respondent or place (O'Sullivan & Russell 1995:128). If fieldwork has to be conducted promptly, probably with a view of curtailing memory errors, quota sampling may be the only possibility (Moser & Kalton 1977:134).

For the purpose of this research the selection of sample was based on gender and race in order to achieve an appropriate representation of all race groups within the SAPS. The sample was drawn from the members of the SAPS employed in terms of the South African Police Service Act 68 of 1995 at 35 police stations around Pretoria. The minimum sample of three hundred and sixty (360) was targeted in this study (see table 3.1). However, three hundred and seventy (370) respondents took part in the survey whereby questionnaires were distributed to them during the course of their duties with minimum interruptions of their daily tasks. Table 3.1 indicates how the sample was selected from the targeted group or population.

Table 3.1 Sample size of the South African Police Service in the Pretoria District

Race	Gender	N	%	n (Sample)
Africans	Females	1080	21,5%	77
	Males	3313	65,9%	237
Africans Total		4393	87,4%	315
Coloureds	Females	11	0,2%	1
	Males	28	0,6%	2
Coloureds Total		39	0,8%	3
Indians	Females	8	0,2%	1
	Males	29	0,6%	2
Indians Total		37	0,7%	3
Whites	Females	162	3,2%	12
	Males	397	7,9%	28
Whites Total		559	11,1%	40
Grand Total		5028	100,0%	360

3.7 Data interpretation and analysis

De Vos (2005:333) points out that “data analysis is the process of bringing order, structure and meaning to the mass of collected data”. In order to attain such a goal relationships amongst different classes of information obtained through identified sources has to be collated and integrated. According to Mouton (2001:108) the objective of analysis is to

comprehend the different aspects of one's data through the examination of relationships between concepts, constructs or variables or parameters and determine whether there are any patterns that can be identified or isolated to establish themes in the data. Data analysis (in the quantitative paradigm) does not give answers to research questions per se, but answers are obtained through the interpretation of data and results. Interpretation is concerned with explaining and attaching meaning (Kruger, De Vos, Fouche & Venter 2005:218).

In this research the data obtained through survey questionnaires was captured on the Microsoft Excel or spreadsheet before it was exported to the IBM SPSS Statistics Version 20 software programme for analysis. Official documents such as human resource policies of the SAPS were consulted in order to achieve a reasonable interpretation and analysis of the information obtained through questionnaires. Descriptive and explanatory analysis was made in relation to information collected using questionnaires. In addition, information obtained through questionnaires was utilised to formulate graphs in chapter 4.

3.8 Summary

The research objectives have been recapitulated so as to reveal what the researcher intended to achieve through various research tools discussed above. It has been stated that the qualitative method was utilised in this study. The qualitative survey research was employed accordingly in order to obtain relevant information from the targeted group through questionnaires. Descriptive and explanatory analyses were made in relation to the information obtained through questionnaires.

Data has been collected through document study. The researcher submitted a request for permission to use utilised official documents and accessing files of the SAPS within the district of Pretoria, and permission was granted. Other relevant information was gathered through survey questionnaires. All survey participants were informed of their rights before they could participate, and those who took part did so voluntarily. The quota sampling method was used for selecting questionnaire participants. The IBM SPSS Statistics Version 20 software programme was used to analyse qualitative data gathered through questionnaires. The researcher has observed that data collection phase is the crux of the research which requires dedication, appropriate time management and discipline. The next chapter deals with presentation and analysis of data obtained through the various methods mentioned above.

CHAPTER 4

DATA PRESENTATION AND ANALYSIS

4.1 Introduction

The previous chapter discussed the integral methodologies applied in the collection of relevant research information or data. The major aim of this research is to describe and explain the strategies through which the South African Police Service hereafter referred to as SAPS implement affirmative action policy and address unfair discrimination in recruitment, selection and appointment. The attention is further directed to the assessment of the problems encountered by the SAPS in the implementation of the affirmative action policy, and strategies through which the SAPS can manage and prevent unfair discrimination in recruitment, employment and promotions. An exposition on the criteria taken into consideration by the SAPS in identifying the beneficiaries of affirmative action is analysed. The opinions of the respondents within the district of Pretoria are tested and examined in broader details. The data is demarcated into four major themes whereby the information obtained through survey responses, comments and documentary sources are integrated and analysed.

4.2 Biographical data of the respondents

In this section the personal information of the respondents is presented and analysed. The gender composition influences responses from the respondents.

Figure 4.1: Gender

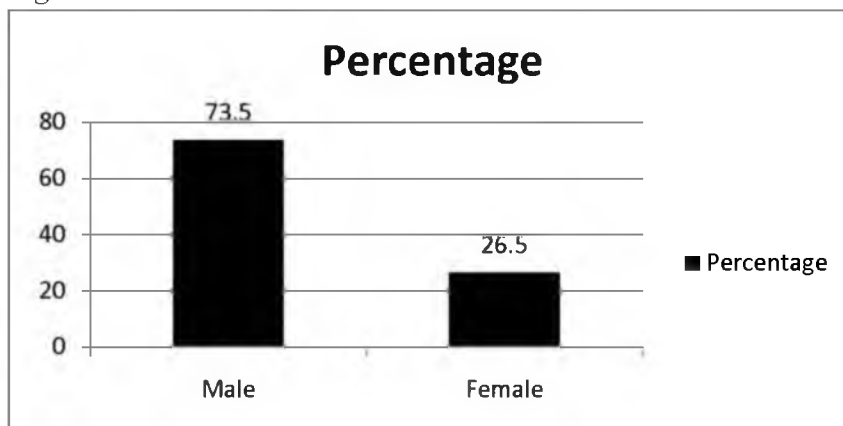


Figure 4.1 shows that 73,5% of the respondents are males and 26,5% are females. The actual number of the respondents is three hundred and seventy (370) (refer to table 3.1 sampling). The high rate of participation by males is a clear indication that males are still dominant in the SAPS. However, it is not an obvious matter as to what accounts for the lower number of females in the South African Police Service even in the democratic dispensation. The issue raises two questions which are not answered by this research document: “Is it because females are not recruited in numbers?” Or, “Is it because females are not interested in working for the SAPS as police women?” A research project can be initiated to answer these two proposed questions.

Figure 4.2: Race

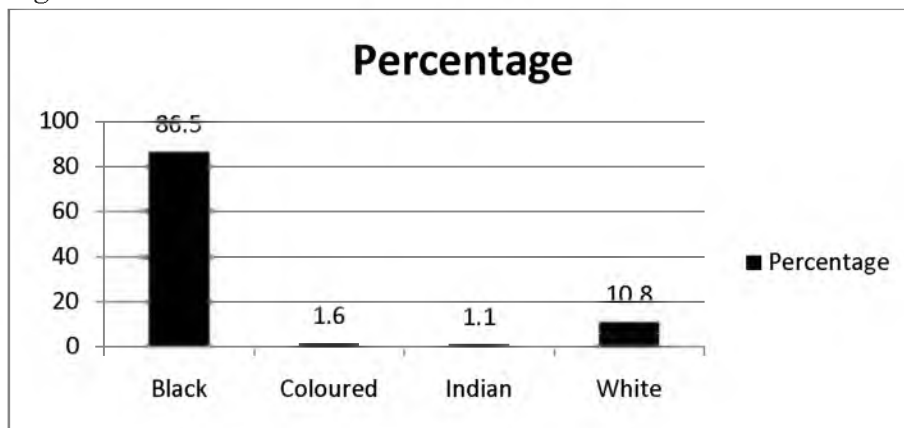


Figure 4.2 reflects the breakdown of the respondents in terms of race whereby 86,5% were blacks, 1,6% coloureds, 1,1% Indians and 10,8% whites (see figure 4.3 & 4.17). Table 3.1 on the sample size of the SAPS in Pretoria district provides an indication on how these figures were drawn for each race group. It is evident that blacks are dominant within the SAPS.

Figure 4.3: Rank of police officials

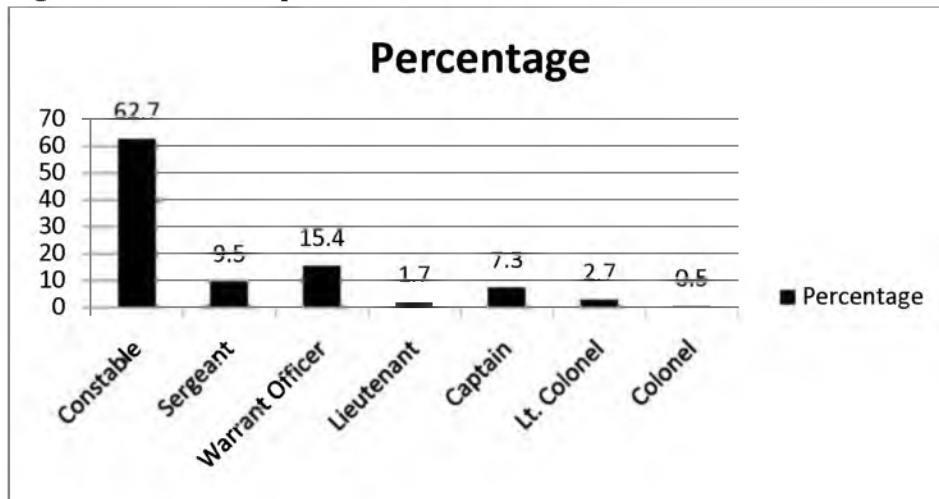


Figure 4.3 indicates the ranks of the respondents who took part in the survey as follows: constables constitute 62,7%, sergeants 9,5%, warrant officers 15,4%, lieutenants 1,9%, captains 7,3%, lieutenant colonels 2,7% and colonels 0,5% (see figure 4.2 & 4.17). The above percentages point out that most of the respondents are non-commissioned officers, those are, constables, sergeants and warrant officers. The non-commissioned officers are more in comparison to the commissioned officers (lieutenant and upwards) within the SAPS.

The huge number of non-commissioned officers should be seen against the background of the current promotion policy of the SAPS. According to the National Instruction No. 2 of 2008 on grade progression and promotion of the employees of the SAPS the constables are required to serve a minimum of seven years on the same rank excluding two years of training whilst the sergeants are expected to serve two to five years before they could be promoted to the next rank or level (SAPS 2008:3–13). In terms of the agreement No. 2 of 2011 on the SAPS rank structure, revised promotion policy and matters related thereto, the warrant officers are required to serve a minimum of twelve (12) years uninterrupted on their current ranks in the service (SAPS 2011:5).

Figure 4.4: Length of service in the South African Police Service

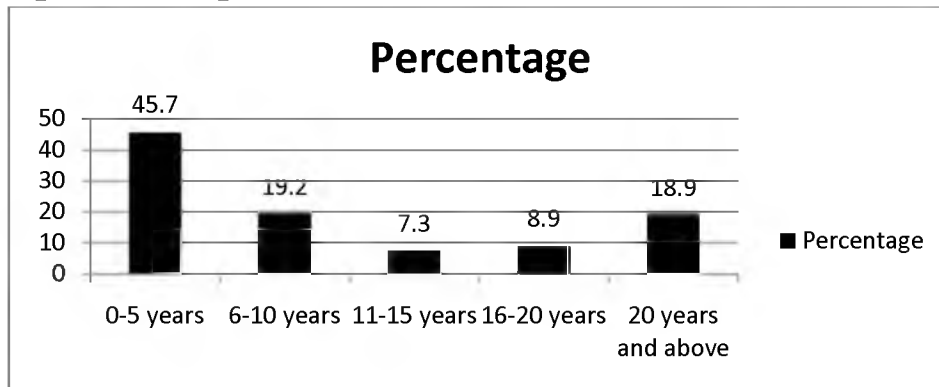


Figure 4.4 indicates the number of years respondents have been part of the SAPS: 0–5 years were 45,7%, 6–10 years 19,2%, 11–15 years 7,3%, 16–20 years 8–9% and 20 years plus 18,9%. The retention policy of the SAPS needs to be revisited because there is a high percentage of 45,7% of police officials in the 0–5 years category. There is a decline from 6–10 years. This might mean that after five years officials leave the service of the SAPS.

Figure 4.5: Component in which you are placed

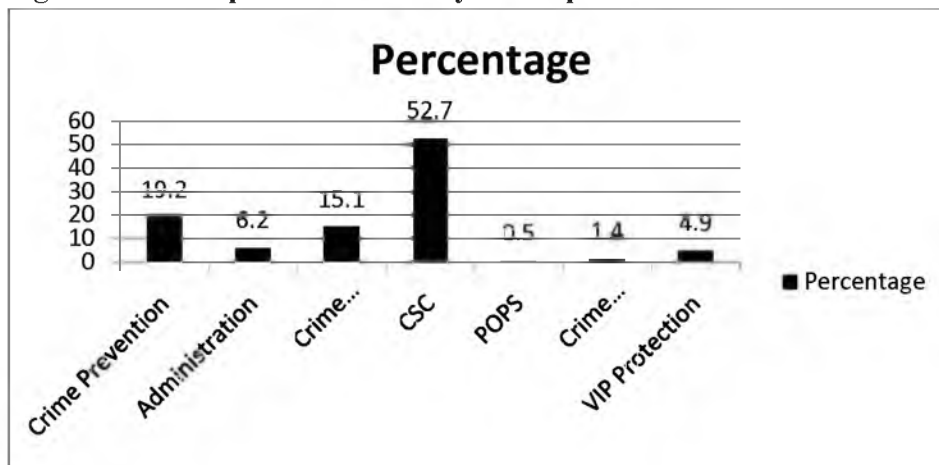


Figure 4.5 illustrates that the respondents are distributed according to the following components: 19,2% crime prevention, 6,2% administration, 1,1% crime investigation, 52,7% client service centre (CSC), 0,5% Pops, 1,4% crime intelligence, 4,9% VIP protection. The respondents who are placed in the client service centre (CSC) accounted for higher participation percentage due to the fact that they were readily available to participate and were found in groups during on-duty and off-duty parades when survey questionnaires were distributed. Some of the members based at divisions could not be easily drawn to participate in the survey.

Figure 4.6: Academic qualification

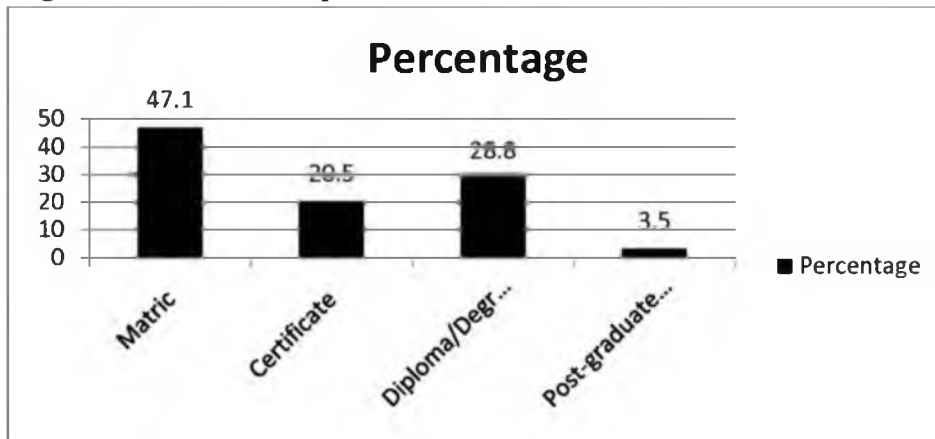
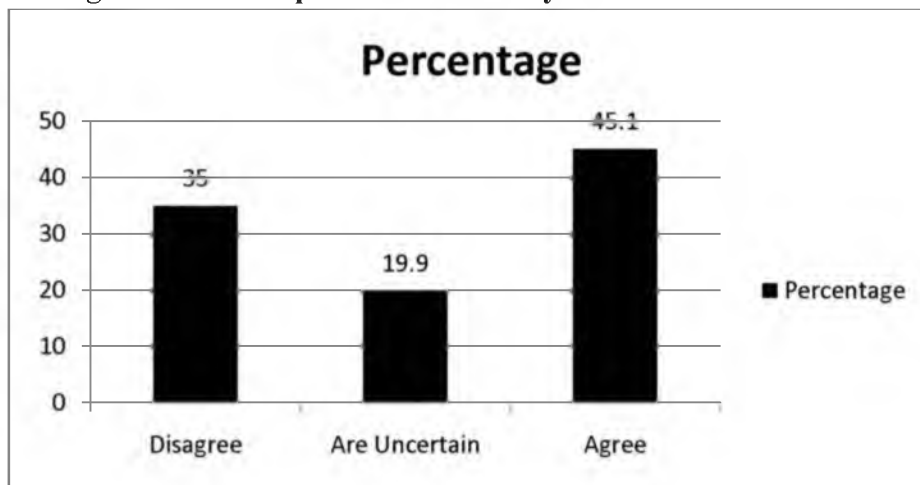


Figure 4.6 represents the academic qualifications of the respondents. This figure shows that 47,1% have matric certificates, 20,5% higher certificates, 28,9% diplomas or bachelor degrees and 3,5% postgraduate degrees. The 47,1% of the participants with matric certificates could be due to the fact that the entry level requirements for being a police official is a matric certificate.

4.3 Challenges related to the implementation of affirmative action policy

This section represents the opinions of the respondents regarding the challenges experienced by the SAPS as far as the implementation of affirmative action policy is concerned. The responses to the questions are rated in terms of the Likert scale (or Likert-type scale). This is the 5 point response scale in which individual participants rates their level of agreement or disagreement with a statement provided: ranging from strongly disagree, disagree, uncertain, agree, and strongly agree as described by Gravetter and Forzano (2006:334–335). The negative responses (strongly disagree and disagree) are combined to reflect the degree of disagreement with the statement and the positive responses (agree and strongly agree) are also integrated to show the extent of agreement with the statement.

Figure 4.7: The SAPS affirmative action policy emphasises race representation within the organisation and promotes efficiency.



In figure 4.7, a majority of 45,1% agree with the statement that the SAPS' affirmative action policy emphasises race representation and promotes efficiency whereas 35% disagree. According to Duba (1992:36) affirmative action implies striving to attain non-racialism, and not multiracialism. Wessels (2005:135) suggests that affirmative action should also consider the importance of training the previous disadvantaged people in relation to their duties instead of attaching value to race representation and targets. Race representation engenders another form of imbalance within the organisation and it ultimately benefits a small group of blacks at the expense of the majority (Hermann 2007:14)

Figure 4.8: I believe that there are few persons from the previously disadvantaged groups qualified to take managerial positions.

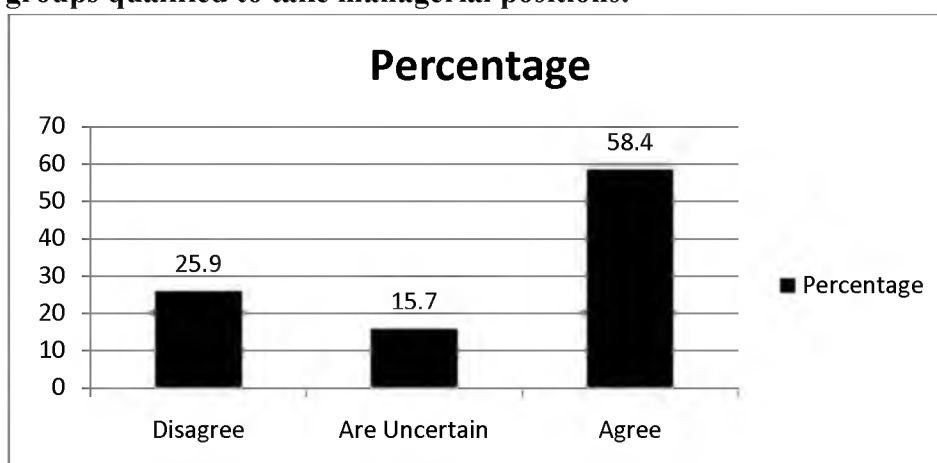


Figure 4.8 reveals that 58,4% respondents are of the view that there are few persons from the previously disadvantaged groups who are qualified to take managerial positions within the SAPS while 25,9% disagree. The response suggests that the SAPS probably need to ensure

that the previously disadvantaged groups are given proper training. Ndlovu (1993:14–15) asserts that organisations are less committed to training and developing black people because they rely on recruiting externally when there are senior vacant positions. It is very imperative to ensure that black people are trained and developed to suit the needs of the organisation and bring them to the equal educational level with their white counterparts (Duba 1992:39).

Figure 4.9: Job requirements and responsibilities are seldom adjusted to accommodate the disabled people.

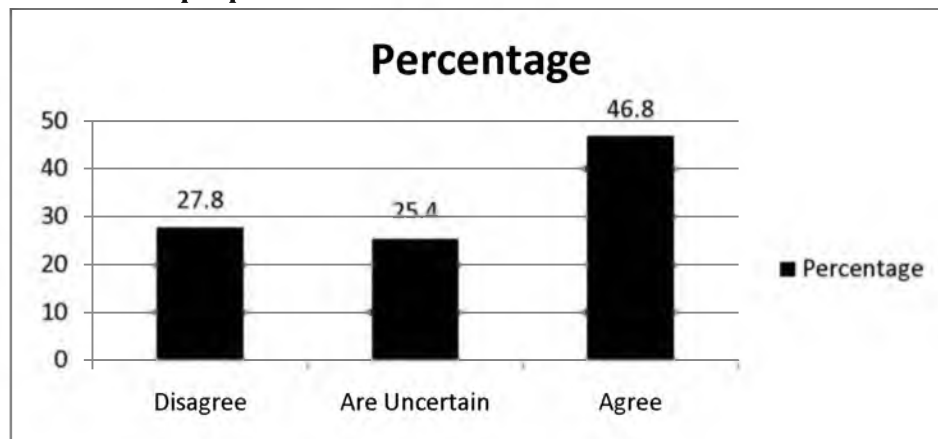
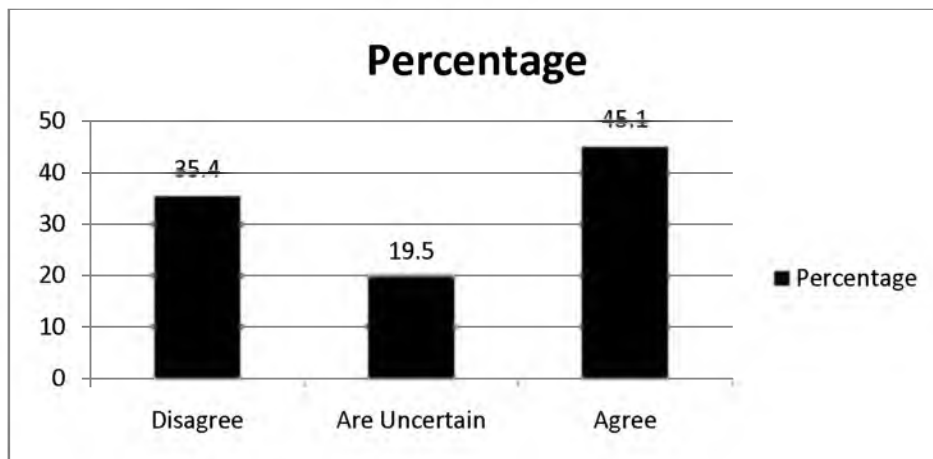


Figure 4.9 portrays the view of respondents on whether job requirements and responsibilities are seldom adjusted to accommodate the disabled people. A convincing 46,8% of the respondents agree that job requirements and responsibilities are seldom adjusted to accommodate the disabled people. However, 27,8% disagree with this statement. The response suggests that there are few disabled people in the SAPS. In terms of the revised strategic plan 2010–2014 of the SAPS, the recruitment of the disabled people will be one of the priorities of the organisation whereby a target of 2% has been set to be attained during that period (SAPS 2012:20). Hermann (2007:114–115) is of the idea that the disabled people and the people from historically disadvantaged groups should be equally treated and should equally enjoy the employment and promotion at all levels and categories in order to attain the objective expressed in the Employment Equity Act 55 of 1998.

Figure 4.10: I think affirmative action is a barrier to qualified male job applicants within the SAPS.



In figure 4.10, 45,1% of the respondents agree that affirmative action is a barrier to qualified male job applicants within the South African Police Service compared to 35,4% who disagree. Higher response in support of this statement could be attributed to the fact that males are still dominant in the SAPS and that could have had a major influence in this regard (see figure 4.1).

Figure 4.11: Affirmative action shuts promotional opportunities for white males.

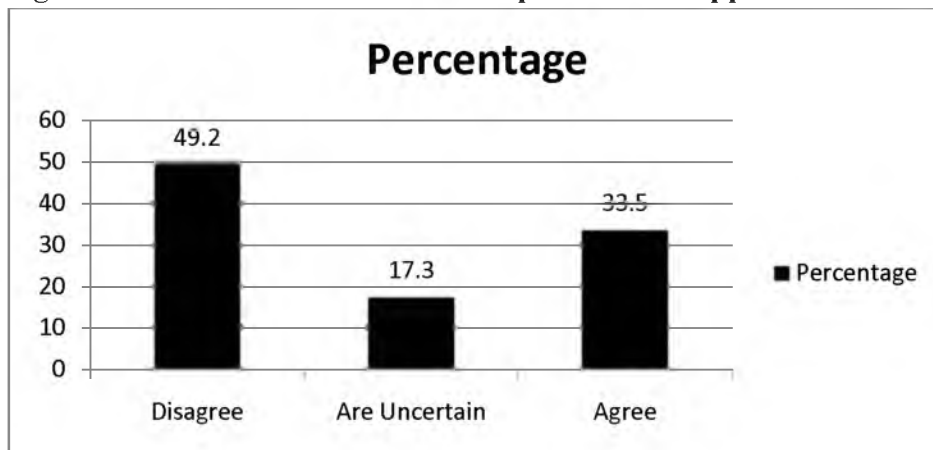


Figure 4.11 depicts the opinions of the respondents regarding the fact that affirmative action shuts promotional opportunities for white males. A majority of 49,2% disagree that affirmative action shuts promotional opportunities for white males in comparison to 33,5% who agree with the statement.

Figure 4.12: The affirmative action goals are clearly communicated or explained to every employee.

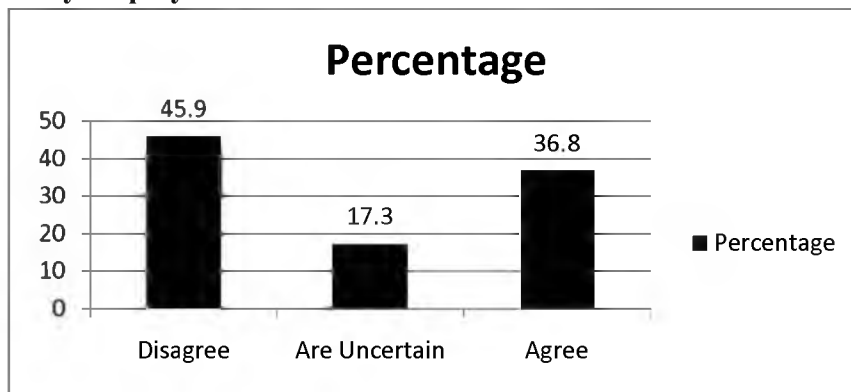
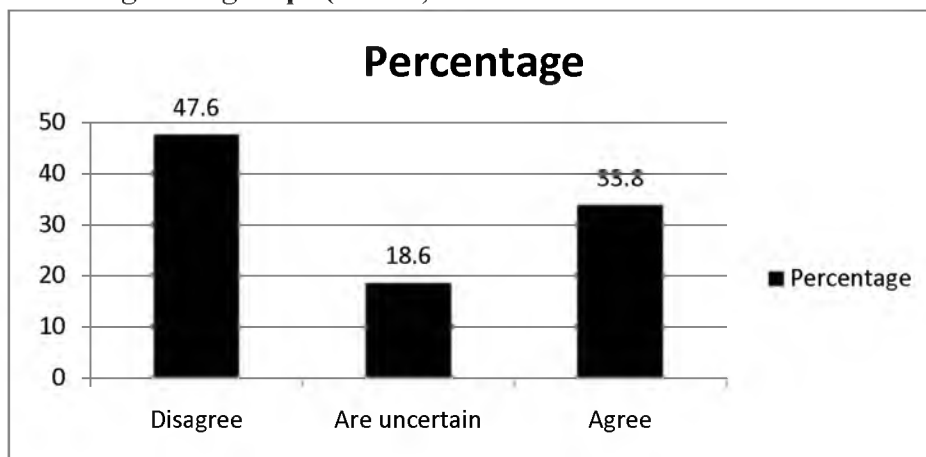


Figure 4.12 illustrates that 45,9% of respondents disagree that affirmative action goals of the SAPS are clearly communicated or explained to every employee in comparison to 36,8% who agree with the statement. The response suggests that the SAPS do not appropriately consult with employees on issues relating to the implementation of affirmative action. The response could be an indication that SAPS are utilising a top down approach when information is disseminated to the employees within the organisation.

Figure 4.13: Affirmative action policy of the SAPS unfairly discriminates against the non-designated groups (whites).



This question deals with the fact whether the affirmative action policy of the SAPS unfairly discriminates against the non-designated groups. Figure 4.13 indicates that 47,6% of the respondents disagree with the notion that affirmative action policy of the SAPS unfairly discriminates against the non-designated groups, while only 33,8% agree that it unfairly discriminates. The response suggests that the non-designated groups are fairly discriminated against but the fact that the majority of respondents are from the designated groups could

have had an impact in the response to the question (see figure 4.2). However, Mello and Phago (2007:146) assert that discrimination that intends to advance equal opportunities is considered to be justifiable when it is practised to the advantage of the historically disadvantaged groups.

Figure 4.14: Affirmative action discriminates against certain groups within the previously disadvantaged groups.

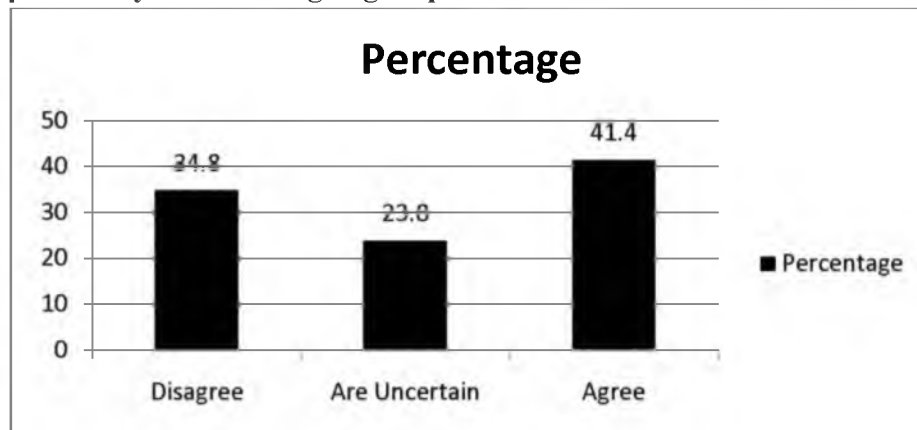


Figure 4.14 reveals that 41,4% respondents believe that affirmative action policy discriminates against certain groups within the previously disadvantaged groups while 34,8% think differently. The response indicates that certain groups within the historically disadvantaged groups are given unfair advantage over other groups. Hermann (2007:44–45) contends that discrimination within the historically disadvantaged groups on the basis of representativity is controvertible. From the above information a deduction can be made that some individuals within the previously disadvantaged groups are not satisfied about the promotion or employment criteria.

Figure 4.15: I think that unqualified people are given positions which they do not deserve at the expense of competent, skilled, experienced and qualified persons.

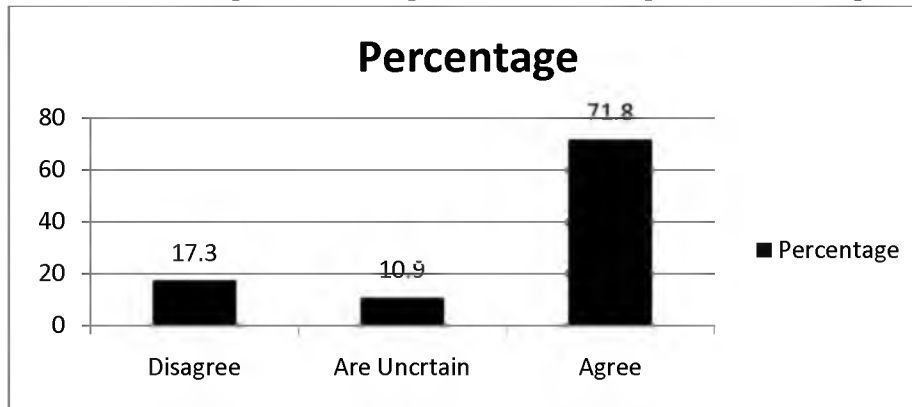


Figure 4.15 depicts the views of the respondents on the issue of unqualified people being given positions at the expense of competent, skilled, experienced and qualified persons. More than two-thirds (71,8%) of the police officials are of the opinion that unqualified people are given positions which they do not deserve at the expense of competent, skilled, experienced and qualified persons, while only 17,3 % disagree. The response suggests that affirmative action within the SAPS has created a situation whereby positions are given to the undeserving people under the guise of advancing the historically disadvantaged people. Mandela (1992) warns that affirmative action is not tailored to secure employment for the unqualified people, but to ensure that they are offered training and development which they were previously denied, and to see to it that those who are qualified yet overlooked due to discriminatory policies are granted the relevant positions due to them.

Figure 4.16: The fact that there is no specific date on which preferential treatment is going to cease frustrates the non-beneficiaries of affirmative action policy.

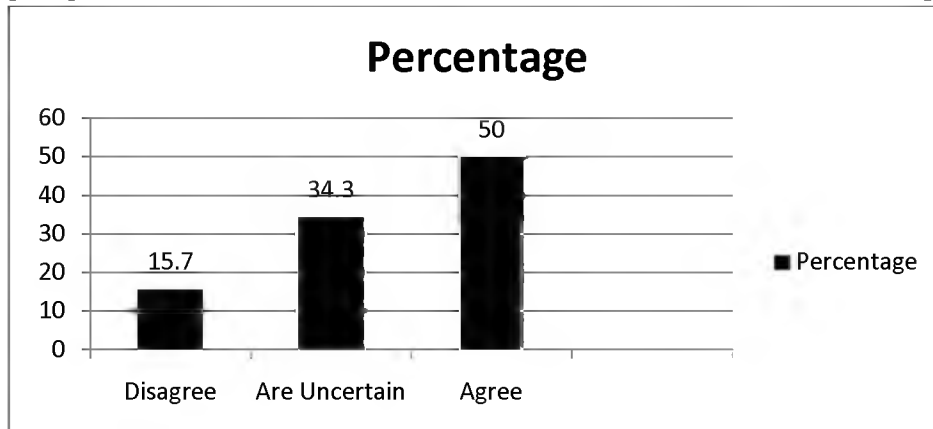


Figure 4.16 shows that 50,0% of the respondents are of the opinion that the fact that there is no specific date on which preferential treatment is going to cease frustrates the non-beneficiaries of affirmative action, and only 15,7 % disagree. The response indicates that there is a major concern regarding the date on which preferential treatment is going to halt, more especially on the part of the non-designated groups. Such a concern can expand and start to affect some of the designated groups who are not directly or indirectly benefiting from preferential policies. Hermann (2007:55) states that frustration among whites is so profound that it creates a feeling of alienation which ultimately leads to stress, diminished productivity and in worst case scenarios to suicide. It is nonetheless vital to note that the SAPS are just complying with the national or government policies which they cannot override.

Figure 4.17: Black people are over represented in non-commissioned positions.

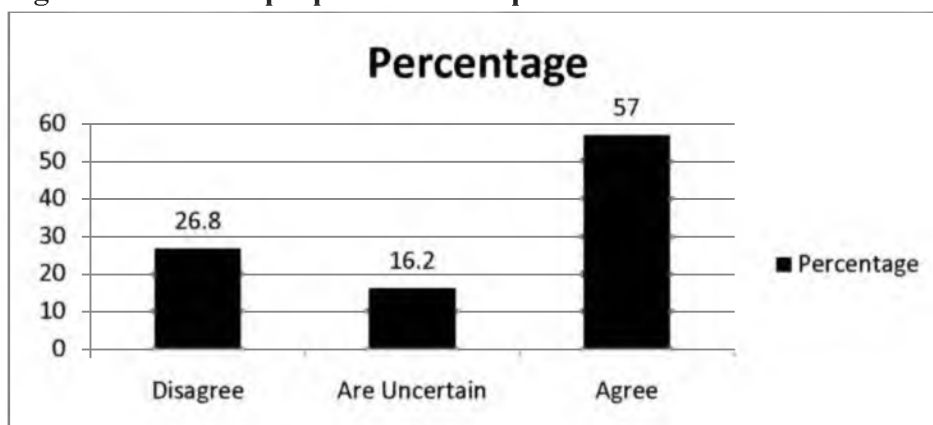


Figure 4.17 demonstrates that 57,0% respondents agree that black people are over represented in non-commissioned positions while only 26,8% object (see figure 4.2 & 4.3). Based on this

response a deduction can be made that larger number of respondents do not comprehend the preferential policies of the organisation as well as the allocation of positions based on racial distribution within the organisation. A key aspect that could have played a critical role in this response is the fact that most of the non-commissioned officers are kept in one position for more than 12 years before they are promoted to the next rank as pointed out in figure 4.3.

Figure 4.18: I believe that the introduction of additional or new ranks (lieutenant and major) will create further problems in the pursuit of representation.

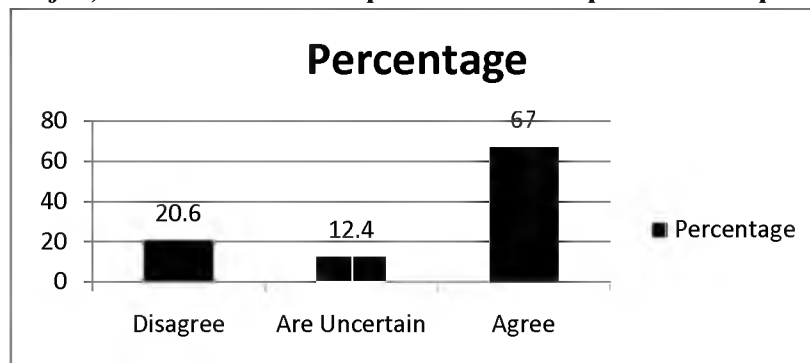
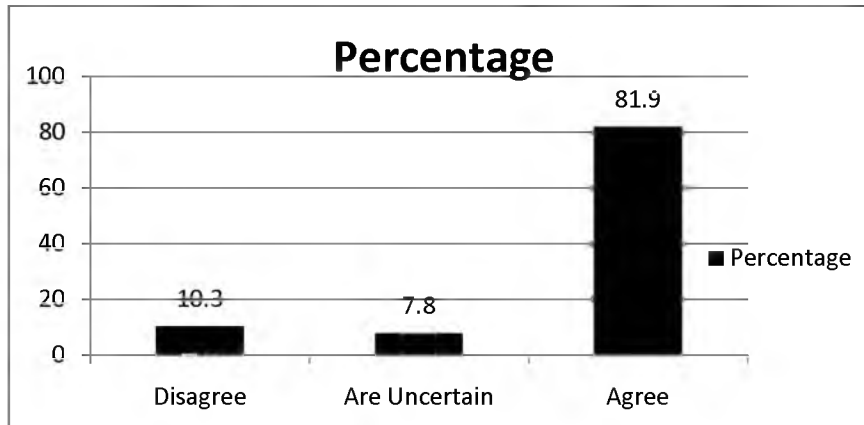


Figure 4.18 shows that a majority of 67,0% believe that the introduction of additional new ranks (lieutenant and major) will create further problems in the pursuit of representation whereas 20,6% disagree. The response indicates that the SAPS are complicating matters by creating new ranks in which they still have to ensure equitable representation which is not yet attained in terms of the previous ranking structure. The SAPS can find themselves caught in an extremely difficult situation especially in instances whereby one group is preferred for the new ranks at the expense of other groups creating more tension. Since the new additional ranks were declared by the National Commissioner (General) of the SAPS with effect from 1 April 2010, then it was also necessary for the organisation to conform to the national directives of the political office bearer (SAPS 2011:1).

Figure 4.19: Most of the people who leave the SAPS do so because of lack of job satisfaction (lack of achievement, recognition, growth potential) and insufficient salary.



An overwhelming 81,9% of police officials are of the opinion that most of the people who leave the SAPS do so because of a lack of job satisfaction and insufficient salary and 10,3% of the participants disagree as portrayed in figure 4.19. A deduction can be made that the respondents are discontented with the extrinsic (monetary rewards) and intrinsic (non-financial rewards) benefits offered by SAPS to its employees in recognition of their hard work. The response further suggests an alarming dissatisfaction with the salaries offered to SAPS members, which is attributed to the exodus of the members from the organisation to other institutions.

The SAPS perhaps need to expand or review their scarce skills policy which only focuses on the retention of employees in the following spheres: polygraphists, forensic analysts, computer crime investigators, communication and interception officers, architects, engineers and special task force (SAPS 2004). The expansion of the policy has to be carried out in such a fashion that it accommodates other core areas such as visible policing, detective services, finance and administration.

Figure 4.20: The affirmative action policy of the SAPS adheres to the strict regulatory/legislative directives which are over emphasised.

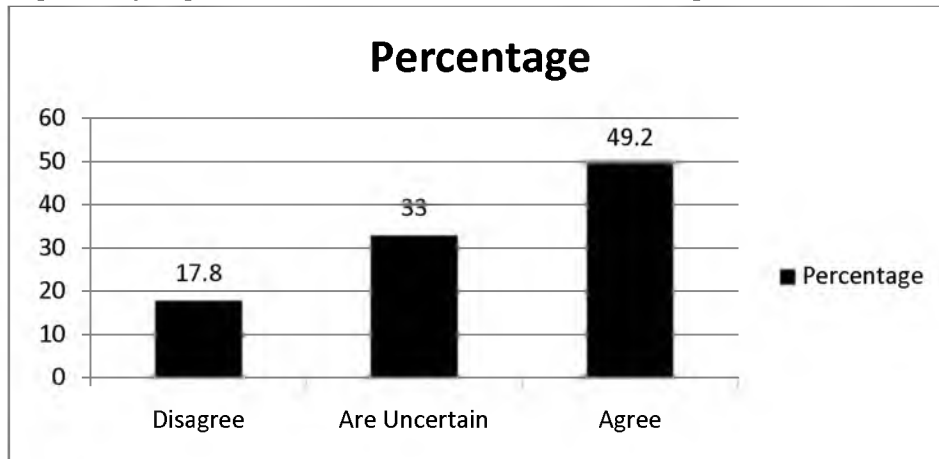


Figure 4.20 indicates that 49,2% of the respondents think that affirmative action policy of the SAPS adheres to the strict regulatory or legislative directives which are over emphasised whereas 17,8% maintain a different view. The response shows that most of the employees are disgruntled with the manner in which affirmative action is applied. As indicated in the previous sections it could be that the SAPS are also under pressure to comply with national regulations and policies of the government.

4.4 Strategies for managing, preventing and addressing unfair discrimination

The previous section outlined the challenges experienced by SAPS in the implementation of affirmative action policy. In order to alleviate the current challenges this section provides a series of viable solutions for managing, preventing and addressing unfair discrimination in recruitment, selection and appointment when affirmative action measures are applied.

Figure 4.21: Interviews should be conducted for every promotional position.

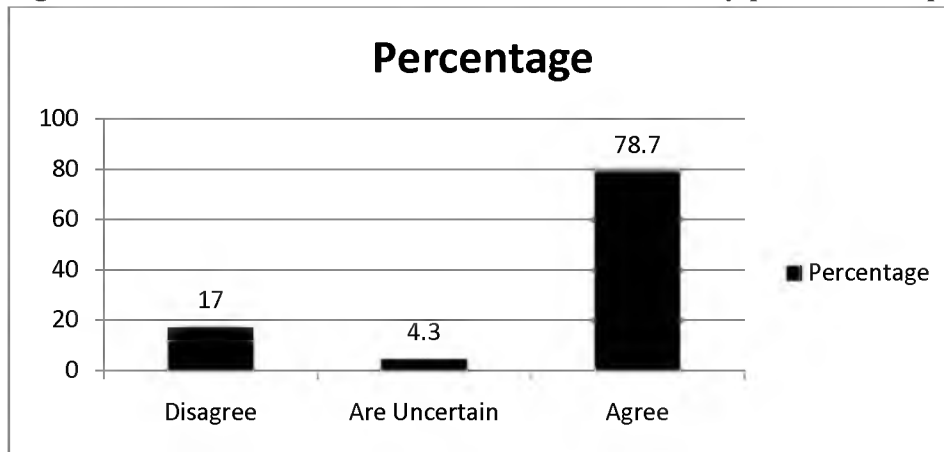


Figure 4.21 represents the opinions of the respondents with regard to the statement that interviews should be conducted for every promotional position. 78,7% of the respondents agree that interviews should be conducted for every promotional position and only 17,0% think differently. The respondents think that interviews would play a critical role in the fair and transparent allocation of positions within the SAPS and that would minimise claims of unfair discrimination in employment. Interviews are indispensable tools in the identification of potential candidates for advertised positions and afford the panel of interviewers a brief opportunity to communicate with the candidates and assess them. Although interviews are traditional methods for the selection of job incumbents they remain undoubtedly essential.

The respondents emphasise and call for the SAPS to utilise interviews in the allocation of promotional positions in order to identify qualifying and suitable candidates.

“A police official must be interviewed before given a new rank” (Anonymous).

“Interviews should be conducted for every promotional position” (Anonymous).

Figure 4.22: I think the immediate supervisors of employees or line managers must be involved in selecting individuals for promotional positions.

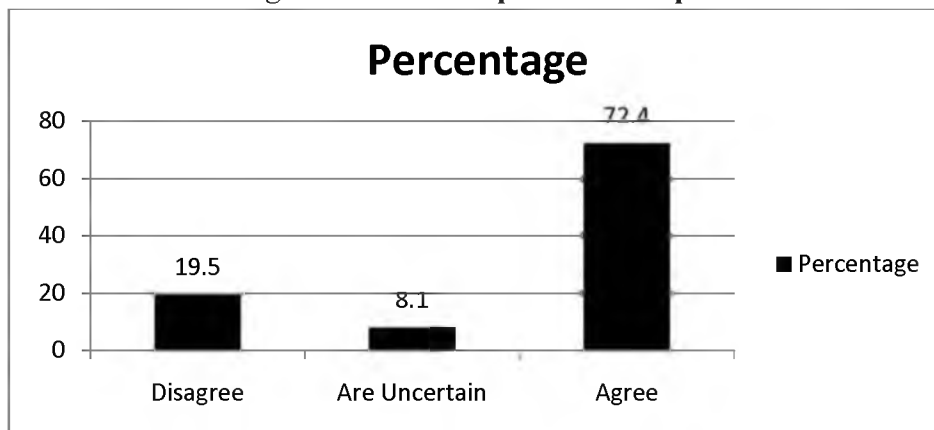


Figure 4.22 represents the frequency in which respondents think the immediate supervisors of the employees or line managers must be involved in selecting individuals for promotional positions. 72,4% respondents agree that immediate supervisors of employees or line managers must be involved in selecting individuals for promotional positions while 19,5% disagree. The survey response indicates that it is about time that the provincial office of the SAPS decentralises the powers to employ and promote members in individual stations and units so as to enable the immediate commanders to exercise their authority in recommending qualifying members.

The respondents who took part in the survey articulate their interests and comment:

“For our police service to shine and prosper they must allow the commanders to recommend people or members who are competent for promotion under their command (supervision). They are the ones who know their members (subordinates). That is why there is no good that we are doing to service our community because we are incompetent” (Anonymous).

“I recommend that the immediate commanders (supervisors) of the employees be present when interviews are conducted” (Anonymous).

Figure 4.23: Selection and appointment should be conducted by an independent agency on behalf of the SAPS

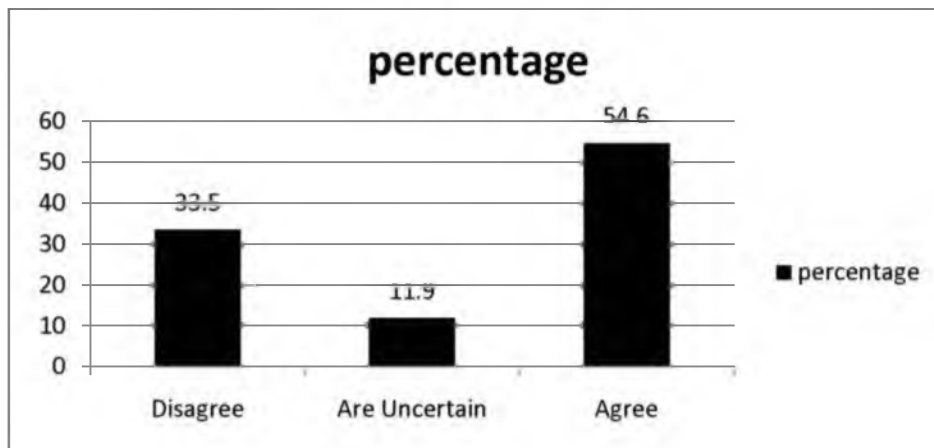


Figure 4.23 indicates that 54,6% respondents are of the opinion that selection and appointment should be conducted by an independent agency on behalf of the SAPS while 33,5% have an opposite opinion. Based on this response a deduction can be made that the SAPS will need to start outsourcing the task of selection and appointment to an independent institution in an effort to remove perceptions of unfairness in the allocation of positions within the organisation.

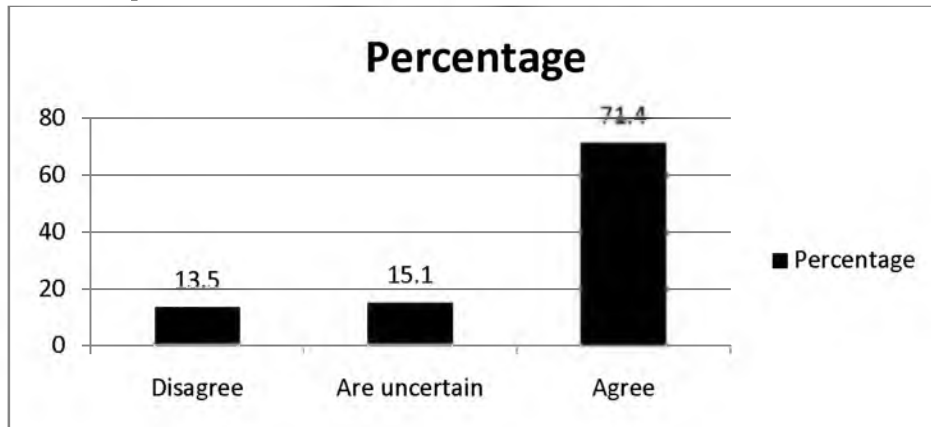
Respondents who participated in the survey expressed their opinions unequivocally.

“My request is that the management of the SAPS must hire the agencies during the period of interviews. They (SAPS) must not conduct interviews themselves because I perceive nepotism in the SAPS. People who don’t deserve ranks (positions) are getting them, and that has a negative impact on police officials” (Anonymous).

“It is true that promotions must not be done by SAPS but by private institution as other members are not considered and promotions reflect favouritism” (Anonymous).

“Employment must be done by a neutral organisation for the South African Police Service” (Anonymous).

Figure 4.24: External applicants are given priority for vacant positions ahead of internal qualified and experienced applicants.



A vast majority of 71,4% respondents believe that external applicants are given priority for vacant positions ahead of internal qualified and experienced applicants, and only 13,5% disagree (see figure 4.24).

The following comments were made by respondents in this respect.

“The top management of the SAPS should give preference to its own members when it comes to promotions and filling of posts especially qualified members within the organisation, instead of recruiting persons from outside the organisation creating the impression that the SAPS is for the uneducated” (Anonymous).

“The SAPS sometimes are not fair. They advertise externally posts whereas there are many people in the SAPS having relevant documents but they do not consider them. They must give members (police officials) first preference and outsiders second preference” (Anonymous).

The response emphatically denotes that the SAPS should start to use the information obtained through skills audits of its employees which provide proper profiles of the employees who are qualified but not correctly placed in various components and units. By so doing the SAPS will be able to utilise the skills of all the qualified employees within the organisation and place them in positions where they will yield positive results. A deduction can be made that the SAPS has left many police officials in positions where they are underutilised considering the vast knowledge and training they have and preferred to appoint external candidates. Duba (1992:38) warns that for affirmative action to be effective there is a need for an organisation to advance internal employees instead of recruiting outsiders.

Figure 4.25: I do not think the effectiveness of the affirmative action policy is continuously monitored at all levels within the SAPS.

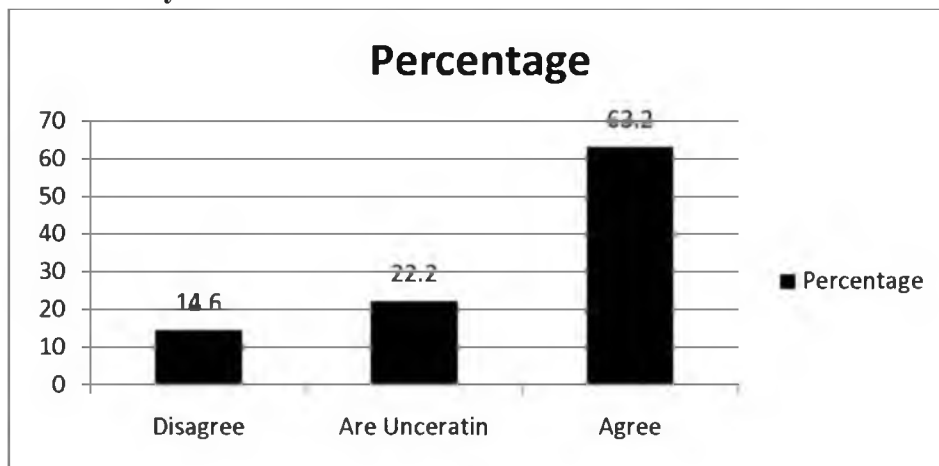
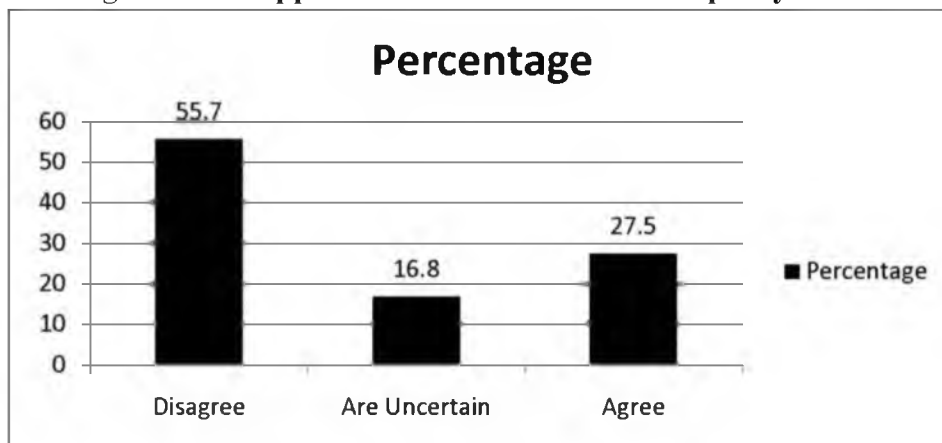


Figure 4.25 demonstrates that 63,2% of the respondents agree that the effectiveness of affirmative action is not continuously monitored at all levels within the SAPS, while 14,6% disagree. The response indicates that management of the SAPS have to ensure that necessary systems are in place so as to ensure that the implementation of affirmative action is monitored thoroughly and immaculately.

Figure 4.26: Employees of the SAPS are given the opportunity to express their views with regard to the application of affirmative action policy.



According to figure 4.26, 55,7% of the respondents disagree that employees of the SAPS are given the opportunity to express their views with regard to the application of affirmative action policy whereas only 27,5% agree with the statement. Survey response evokes questions regarding how the SAPS communicate information to its employees. The most common methods currently utilised in the dissemination of information is through circulars. It could be said that members of the SAPS do not consult the circulars for information and at

the same time it is vital to realise that immediate feedback from employees in respect of their views is not possible when circulars are employed as the major mode of sending information to the employees. Ferndale (1993:3) recommends that consultation with the parties concerned such as trade unions and employees should take place and human resource department should play an active role in the implementation of affirmative action policy.

Figure 4.27: Training and development programmes of the SAPS do not prepare junior employees for future higher positions.

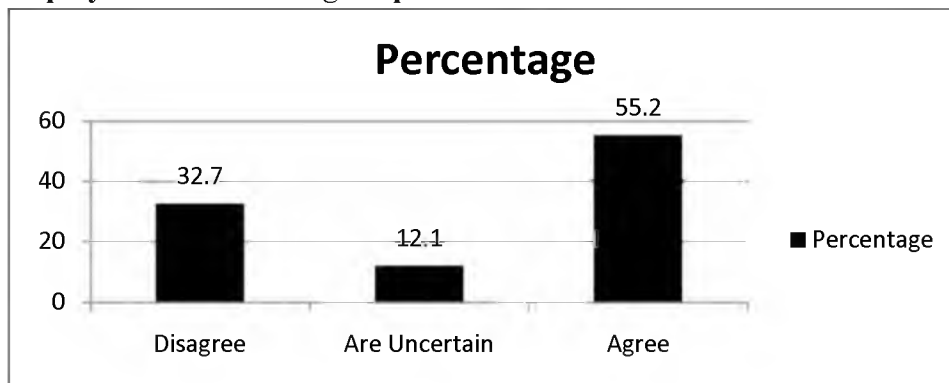


Figure 4.27 shows that 55,2% respondents agree that training and development programmes of the SAPS do not prepare junior employees for higher positions whilst 32,7% disagree. In addition, an anonymous respondent comments: *“They send old members to courses who are left with two years before they go on pension and depart with knowledge”*

The response shows that junior employees are not empowered or equipped through training so as to be able to deal with future challenges when they attain higher positions within the SAPS. It also emerged that young and active members are overlooked when it comes to training courses because preference is given to older members. The trend could be attributed to the fact that call-up instructions for training courses are done at provincial level, hence it is imperative for decentralisation of powers to nominate course candidates to individual stations and units. Duba (1992:38) suggests that in order to ensure that employees grow within the institution to a higher level it is of paramount importance to train and develop them for future posts.

Figure 4.28: I think the South African Police Service values internal training which is not intensified and completely ignore external education.

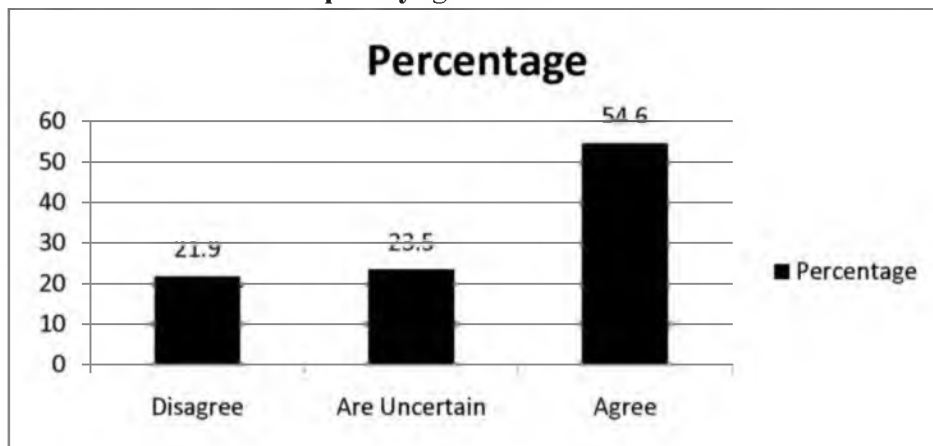


Figure 4.28 represents the opinions of the respondents on whether the SAPS values internal training which is not intensified and completely ignore external education. A majority of 54,6% respondents think that the SAPS values internal training which is not intensified and completely ignore external education whereas 21,9% disagree with the statement. The response shows that the respondents are disgruntled with the training, education and development policy of the SAPS. The SAPS need to ensure the effective and appropriate integration of affirmative action programmes with education and development programmes.

Figure 4.29: Employees of all races are integrated into the organisation (SAPS) after every employment through induction.

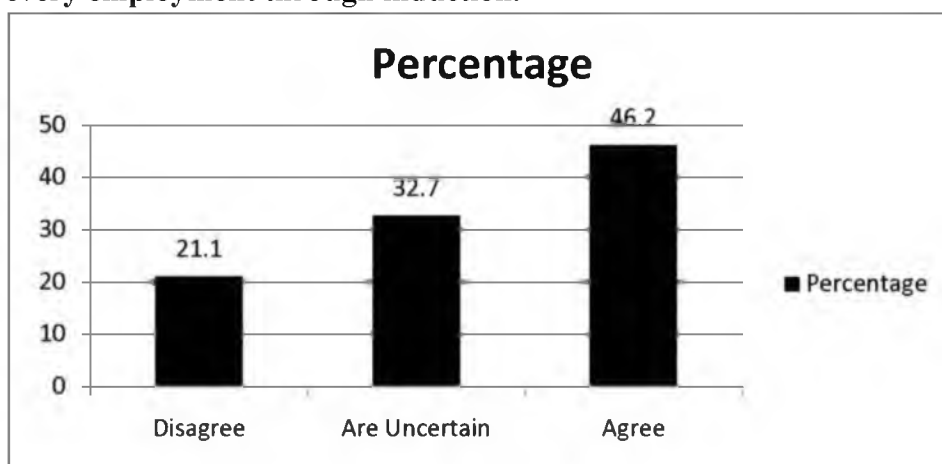


Figure 4.29 indicates that 46,2% of the respondents agree that employees of all races are integrated into the organisation (SAPS) after every employment through induction and only a minimum of 21,1 % had a contradictory opinion. The response shows that SAPS is doing well in terms of ensuring that the newly appointed employees are well integrated in to the

organisation. It can be argued that introducing and maintaining diversity programmes would ensure that integration of all races within the SAPS is sustained as a permanent hallmark.

Figure 4.30: Diversity management programmes are not fully implemented by the SAPS to support affirmative action policy.

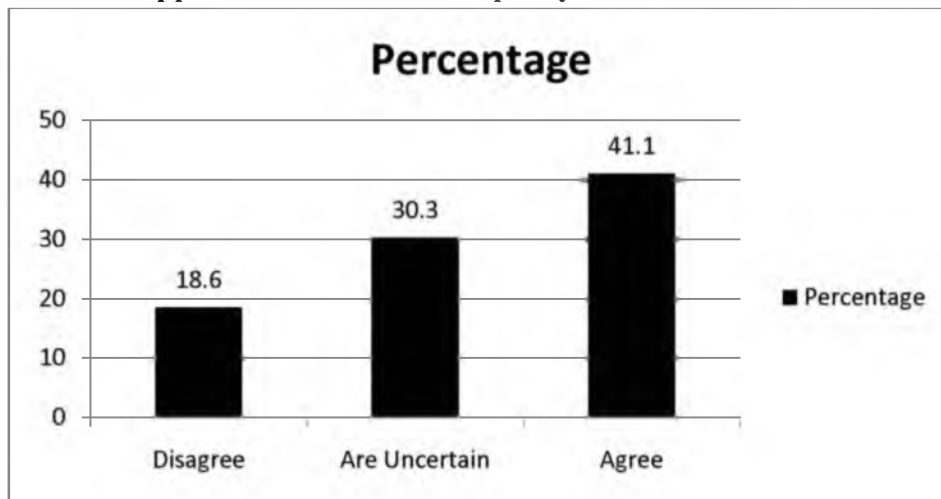
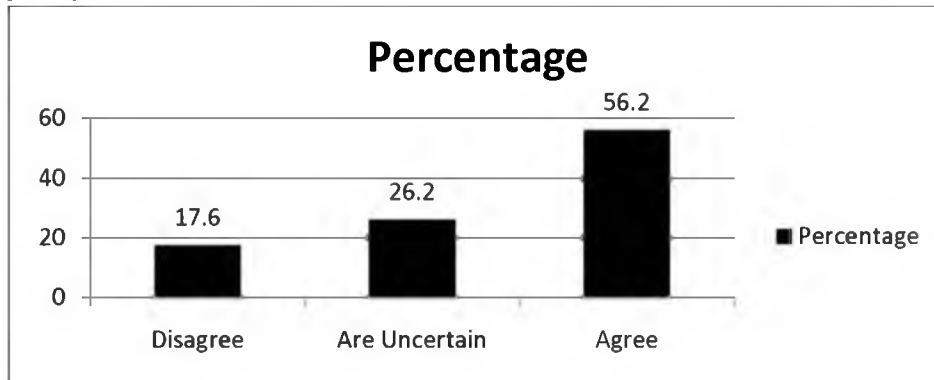


Figure 4.30 shows that 41,1 % respondents maintain that diversity management programmes are not fully implemented by the SAPS to support affirmative action policy, while 18,6% disagree. The response indicates that SAPS needs to sustain the integration of employees within the organisation and avoid missing out on the benefits associated with diversity management programmes. The significance of diversity lies in the fact that males will learn to acknowledge the critical contributions and roles played by women in the workplace (Mello & Phago 2007:148). Wessels (2008:29) asserts that people's differences should not be perceived as a liability but an essential commodity for the organisation. "Affirmative action can only work when a culture has been created to encourage full utilisation of its diverse workforce" (Fuhr 1993:44). Figure 4.30 indicates that 30.3 respondents are uncertain whether the diversity management programmes are not fully implemented by the SAPS to support affirmative action policy. The response in this regard could also be ascribed to the fact that the respondents might not be aware of the existence of diversity management programmes hence they could not agree or disagree as to whether such programmes are implemented or not. Another aspect that might have played a role in this respect could be that the respondents do not see a relationship between affirmative action and diversity management programmes.

Figure 4.31: Resistance to affirmative action is due to a lack of justification for the policy which results in unfair treatment of non-beneficiaries.



A majority of 56,2% agree that resistance to affirmative action is due to lack of justification for the policy which results in unfair treatment of non-beneficiaries while 17,6% disagree as shown in figure 4.31. Based on the forthcoming response a deduction can be made that the SAPS are currently struggling to justify why affirmative action is still critical for the organisation in order to ensure that non-beneficiaries do not feel alienated by the policy. Dupper (2009:309) argues that policies purported to remove racial inequalities will be repudiated unless concepts such as anti-poverty measures are utilised in order to sound more palatable to the antagonists of the policy.

4.5 Criteria for identifying beneficiaries of affirmative action

In the previous section the focus was on the strategies for managing, preventing and eliminating unfair discrimination when applying affirmative action measures in employment. This section concentrates on the criteria for identifying the beneficiaries of affirmative action within the South African Police Service.

Figure 4.32: People of all races are employed to positions on the basis of their qualifications, experience and competencies as they deserve.

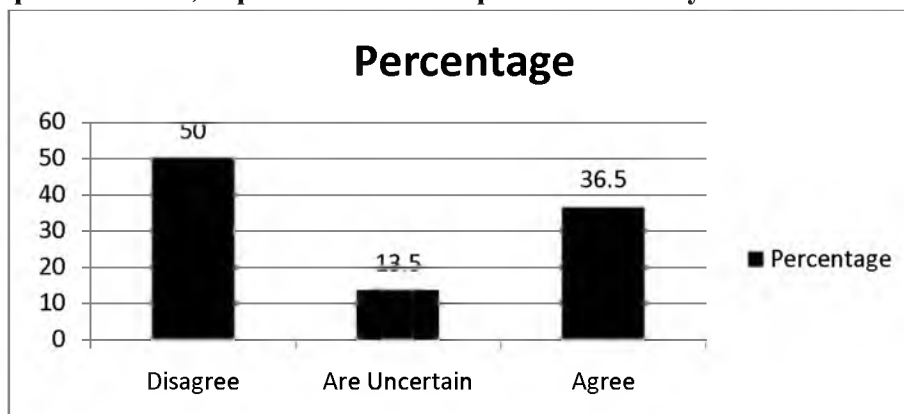


Figure 4.32 indicates that 50,0% respondents disagree that people of all races are employed to positions on the basis of their qualifications, experience and competencies as they deserve while 36,5% agree with the statement. An anonymous person commented: *“Experience and education do not play a role. People know before the post is advertised externally that it belongs to him/her. Posts are advertised for formality in the South African Police Service”*.

The response suggests that there is no objectivity and fairness in selection and appointment to positions in the SAPS. The respondents also cited irregularities that are pervasive within the South African Police Service as the major cause for people to be given positions they do not deserve. Human (1993:52) contends that it is an egregious practice to place people into positions for which they are not fully trained and developed to fill.

Figure 4.33: Female applicants are given preference for positions ahead of their male counterparts irrespective of their qualifications and experience.

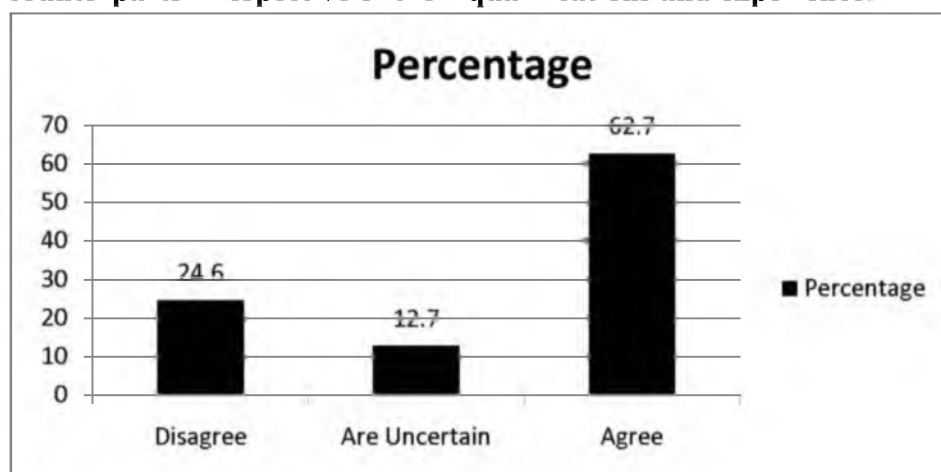


Figure 4.33 illustrates that a vast majority of 62,7% respondents agree that female applicants are given preference for the positions ahead of their male counterparts irrespective of their qualifications and experience whereas 24,6% hold a different view. The response in this instance tends to be biased against women, most probably due to the fact that there are more males in the SAPS than females which could have had a serious impact on the overall response to the question (see table 3.1 in chapter 3). However, it is vital for the SAPS to maintain uniform and clear standards when recruitment and appointment are undertaken in order to ensure that the right people are employed to positions.

Duba (1992:35) comments that affirmative action does not imply appointing the people who are not suitably qualified but filling positions with people from designated groups with the necessary knowledge, training and qualifications. “Deployment just to meet targets of 50% female representation is a setback to the struggle for women empowerment. We should aim to see women in high profile positions who are well prepared, so that they are not just making up female numbers,” said Ruth Mompati (Kobue 2011). Mandela (1992) indicates that inappropriate implementation of affirmative action policy creates a tremendous tension in relation to the fundamental concepts of non-racialism and non-sexism.

Figure 4.34: The degree to which an individual has been disadvantaged (socio-economic background) must be taken into consideration when applying affirmative action measures in employment.

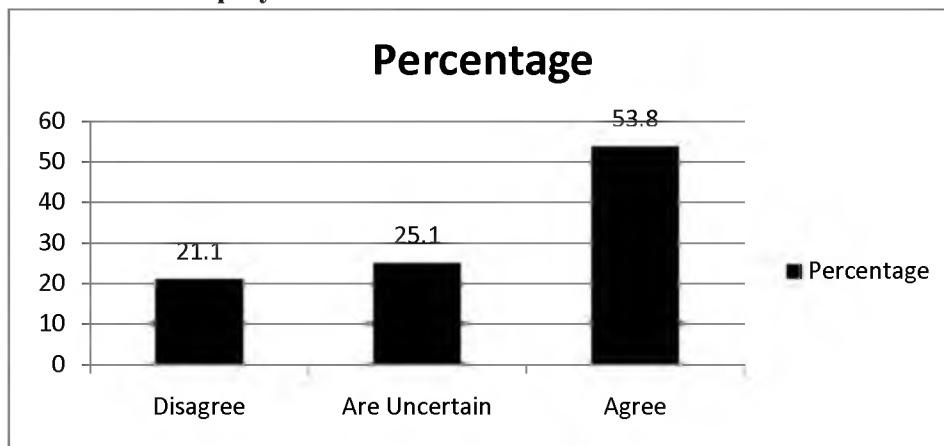


Figure 4.34 shows that 53,8% of the respondents agree that the degree to which an individual has been disadvantaged (socio-economic background) must be taken into consideration when applying affirmative action measures in employment and only 21,1% disagree. Hermann (2007:108) recommends that affirmative action should attach more value to the aspect of socio-economic position of the individuals rather than race, and by so doing even the poor white individuals will be covered for preferential treatment.

Figure 4.35: I think the current affirmative action policy of the SAPS does not take merit/experience of job applicants into consideration.

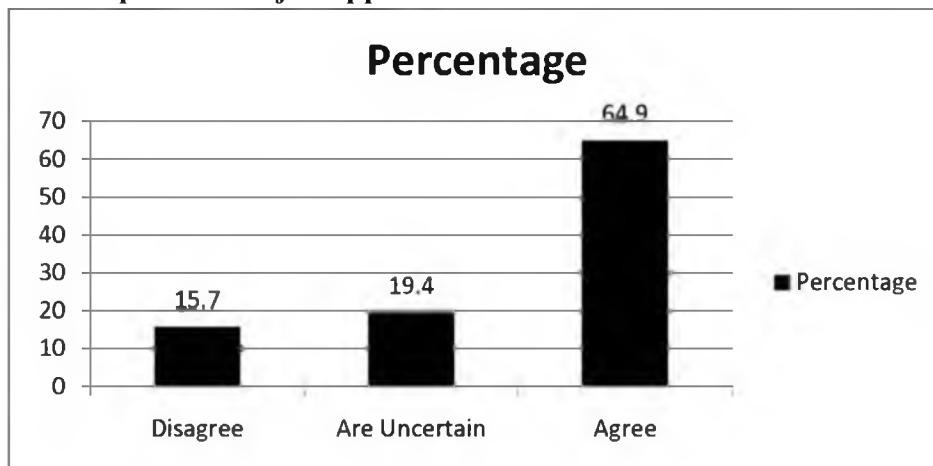


Figure 4.35 indicates that 64,9% respondents agree that the current affirmative action policy of the SAPS does not take merit/experience of the job applicants into consideration whereas 15,7% disagree. According to this response recruitment, selection, promotion and appointment within the SAPS are not based on the performance, expertise and qualifications of the candidates. Equivocal selection and recruitment standards may translate into ineffective, inefficient and poor service delivery for the communities served by SAPS. Ndlovu (1993:14) argues that affirmative action should be based on merit and emphasises the need for recognition of the relevant qualifications required for an individual to perform specific job successfully.

Figure 4.36: Affirmative action affords employment opportunities to the previously disadvantaged groups without due regard of their capabilities, skills and knowledge of the job.

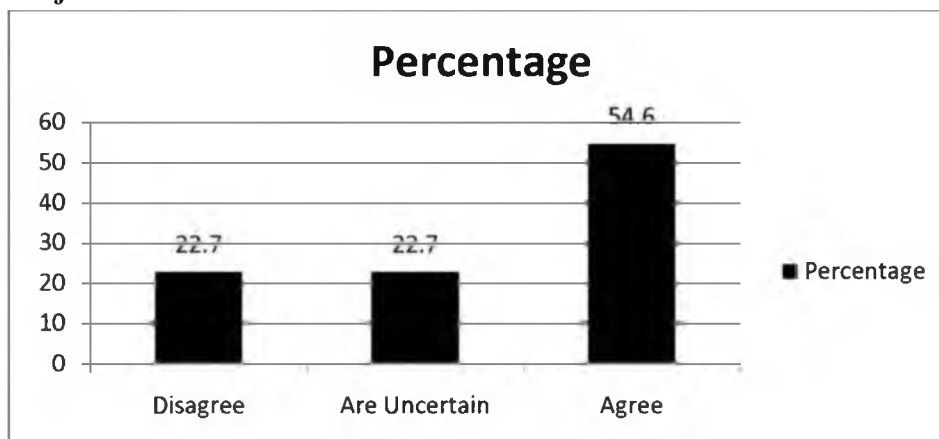


Figure 4.36 indicates that 54,6% respondents agree that affirmative action affords employment opportunities to the previously disadvantaged groups without due regard to their capabilities, skills and knowledge of the job while 22,7% disagree with the statement. Respondents also commented in this regard.

“The affirmative action policy as it is does not have shortcomings but the only problem is that it is poorly implemented. It is manipulated to serve the interests of the elite at the expense of the qualified and hardworking employees” (Anonymous)

“The SAPS do not have direction. Most of the people are in positions without qualifications” (Anonymous).

“Nepotism and tribalism is escalating in the organisation (SAPS) and it breaks the morale of the most dedicated members who are prepared to serve. Politics must be removed from the organisation” (Anonymous)

The response indicates a huge dissatisfaction among the respondents in relation to the manner in which employment candidates are assessed for positions. Respondents suggest that nepotism and favouritism account for irregularities in connection with selection and appointment practices within the SAPS. It also emerges that positions are given to individuals on the basis of political affiliation.

Figure 4.37: Positions are given to persons from previously disadvantaged groups merely to satisfy race and gender representation criteria.

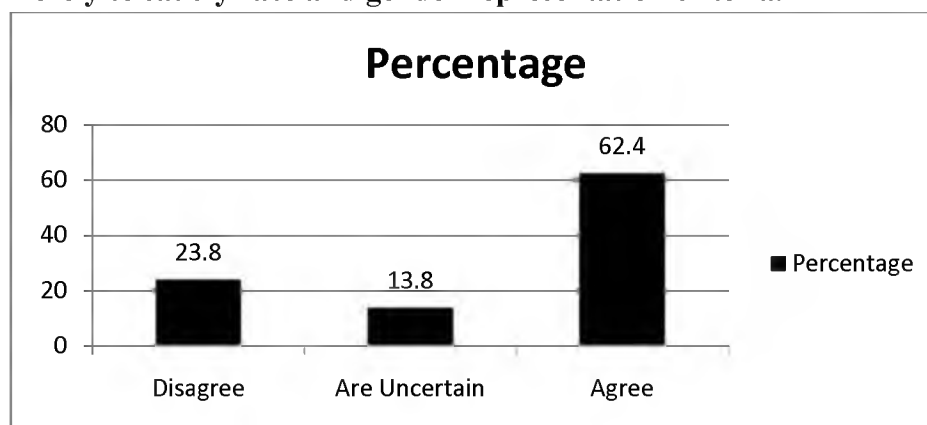


Figure 4.37 shows that a majority of 62,4% respondents agree that positions are given to persons from previously disadvantaged groups merely to satisfy the race and gender

representation criteria while only 23,8% think differently. The response suggests that the SAPS need to review their recruitment, selection and appointment criteria in relation to the implementation of affirmative action policy.

Figure 4.38: The SAPS does not consider the academic achievements (formal qualifications) as a criterion for promotional positions.

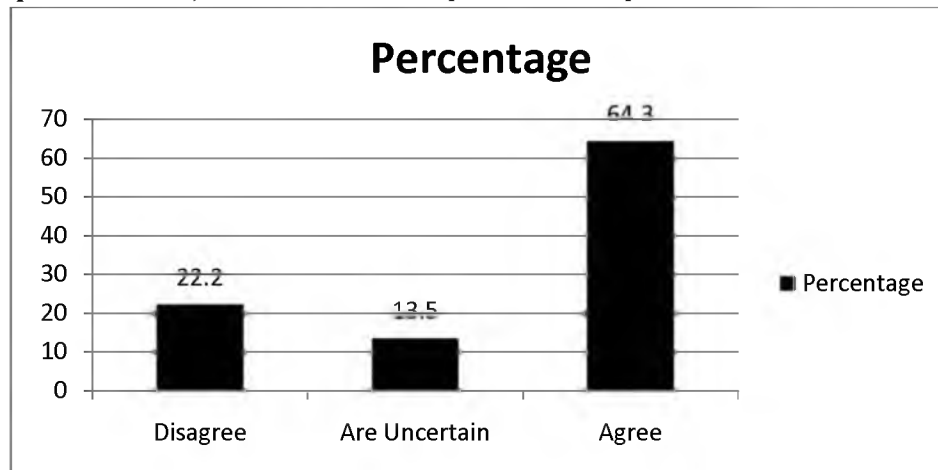


Figure 4.38 indicates that 64,3% of the respondents agree that SAPS does not consider the academic achievements (formal qualifications) as a criterion for promotional positions while only 22,2% maintained a different position. The respondents also comment:

“The SAPS must treat males and female equally and they must consider qualifications when promotions are conducted” (Anonymous).

The organisation (SAPS) must consider the qualifications and give people the opportunity to prove themselves as far as their qualifications and skills are concerned, without placing more emphasis on experience” (Anonymous).

“Members must be promoted according to their qualifications and also consider their service in the SAPS” (Anonymous).

The respondents believe that qualifications should be a key standard in appointments because they associate educational qualification with quality services for the communities they serve. The response suggests that the SAPS need to revise their current promotion policy so as to ensure that the tertiary qualifications of all employees are taken into consideration when promotions are allocated. The interesting issue in this regard is that the SAPS have noticed

the shortcomings of the current promotion policy whereby they have adopted the new promotion policy on 28 September 2011 which will take effect from 1 April 2013. According to the new policy the police officials with an NQF level 6 qualifications will be eligible for promotion after serving a minimum of two years on their current ranks, whereas those with grade 12 certificates (NQF 4 qualification) will have to serve a period of four years uninterrupted on their ranks before gaining promotion (SAPS 2011:2&7–8). In addition, the policy will recognise the period of two years spent on training which was not recognised in terms of the National Instruction 2 of 2008 (SAPS 2008:3; SAPS 2011:7).

Figure 4.39: I think differentiating within the designated groups causes frustrations among the beneficiaries of affirmative action.

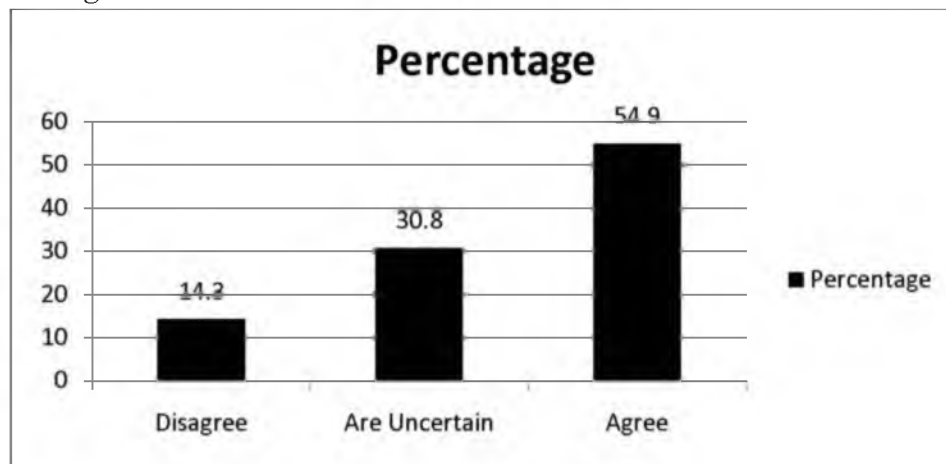


Figure 4.39 illustrates that 54,9% of respondents agree that differentiating within the designated groups cause frustrations among the beneficiaries of affirmative action while 14.3% disagree with the statement. The response suggests that objective criteria should be identified rather than differentiating on the basis of which group members used to be advantaged more than others within the designated groups. Differentiating on the basis of group status causes distress and discontent among the designated groups. Affirmative action should be based on merit instead of differentiating between the designated groups (Hermann 2007:106).

An anonymous respondent commented: *“White females in the SAPS are not treated as previously disadvantaged. The fact that we (white females) spend 10 years in one position while we have qualifications remains a concern”*.

Figure 4.40: Promotional employments are based on the number of years on the current rank and not based on skills, experience and qualifications.

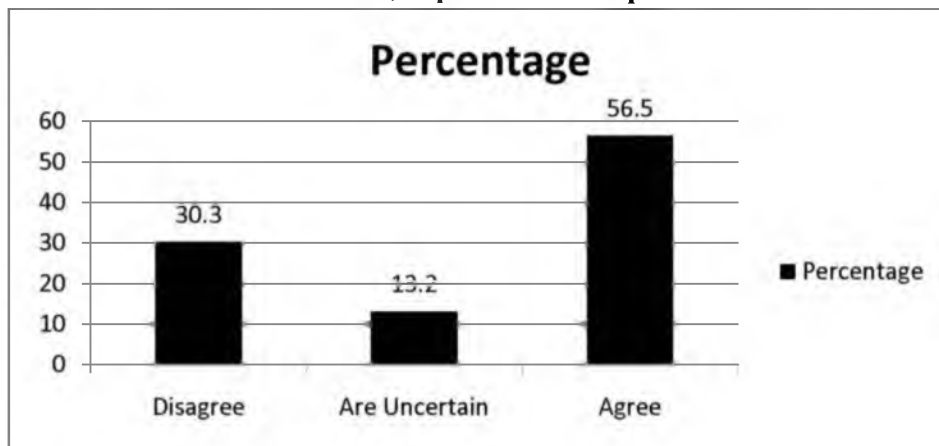


Figure 4.40 shows that 56,5% of the respondents are of the opinion that promotional employments are based on the number of years on the current rank and not based on skills, experience and qualifications, and only 30,3% disagree with the statement. Respondents articulate their thoughts and comment in this regard:

“I recommend that the promotions must be given based on experience and qualifications of the employees” (Anonymous respondent).

“I think the entire SAPS structure should be changed from top management to bottom management. Members’ qualifications should be recognised and not just the number of years in the service. People should be given ranks based on what they know and not on who they know” (Anonymous respondent).

The response indicates that there is a need for SAPS to review their promotion standards in order to accommodate those who are qualified so that they can ascend to higher ranks in accordance with their qualifications. It is also vital to point out that the respondents do not overlook the significance of experience and knowledge of the job as key standards for promotions as they cite them to be complementary aspects to qualifications. The SAPS has taken a giant step in reviewing the current promotion policy and adopted a policy that recognises the tertiary qualifications of the employees in the organisation with effect from 1 April 2013 (SAPS 2011:2).

Figure 4.41: I believe that it is necessary to revise the current affirmative action policy of the SAPS.

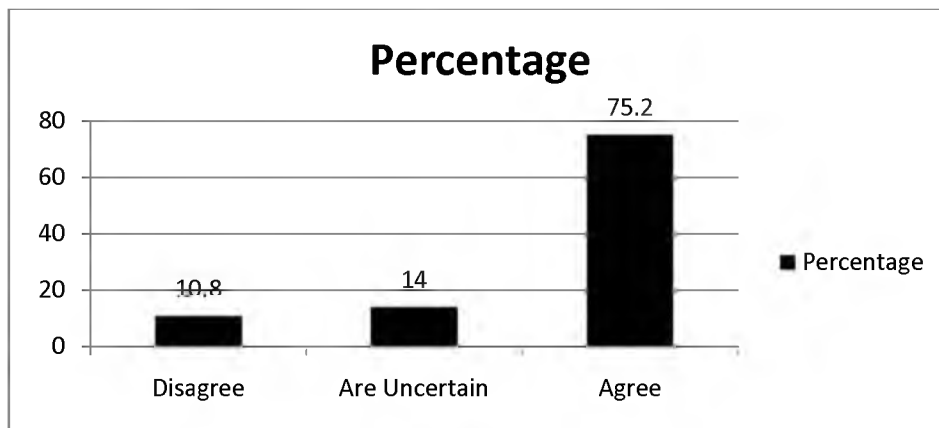


Figure 4.41 shows that a vast majority of 75,2% respondents agree that it is necessary to revise the current affirmative action policy of the SAPS, while only 10.8% disagree. The response is a clear sign that there is a certain degree of dissatisfaction among the police officials with regard to how affirmative action is being implemented within the SAPS. Comments made by the respondents bear further testimony that some of the officials do not suggest that affirmative action policy be discarded automatically.

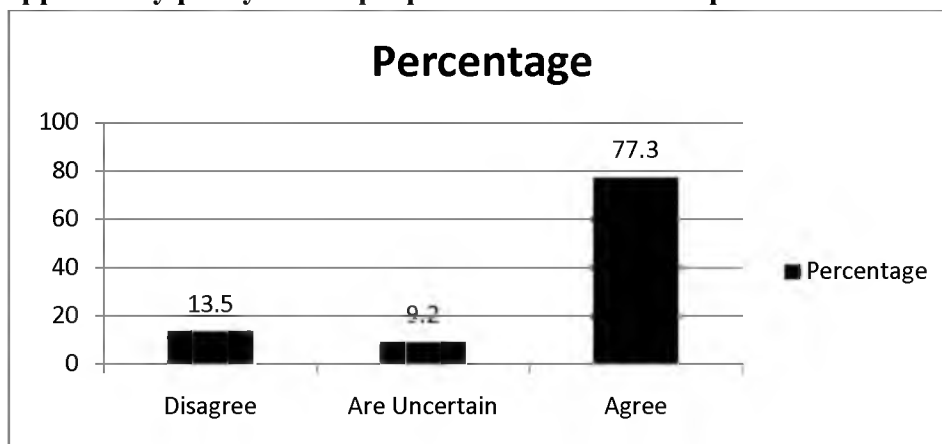
“The policy of affirmative action needs to be reviewed since it has been in place for a long period. It must recognise experience acquired by members” (Anonymous respondent).

“Affirmative action is justified to redress the past injustices meted out to blacks who were previously excluded from holding senior positions in the SAPS. Affirmative action is still needed to ensure that blacks occupy senior positions in the specialised units of the SAPS such as explosives unit, air wing and forensic divisions” (Anonymous respondent).

“I strongly believe that the affirmative action policy of the SAPS should be reviewed in order to accommodate members in all spheres of the organisation” (Anonymous respondent).

Respondents believe that the SAPS needs to effect crucial changes to the policy in order to ensure that it becomes more palatable to all the stakeholders such as trade unions and employees. Important variables that come to the fore are qualifications, experience and the person’s potential which the respondents believe should be taken into consideration in the application of affirmative action policy.

Figure 4.42: I think affirmative action should be phased out and implement the equal opportunity policy where people of all races will be protected and fairly treated.



More than two-thirds (77,3%) respondents are of the opinion that affirmative action should be phased out and implement the equal opportunity policy where people of all races will be protected and fairly treated, and only 13,5% hold an opposite view (see figure 4.42). The respondents tend to believe that the situation will be better when affirmative action is rooted out and equal opportunity policy is applied. Mello and Phago (2007:151) state that it is pivotal to have a set date on which preferential policies are going to cease in occupational categories especially where equality has been achieved, and they maintain that after the abrogation of affirmative action equity should be maintained in such a fashion that new imbalances are not introduced.

Anonymous respondent comments: *“Affirmative action policy has created a lot of favouritism, nepotism and corruption within the South African Police Service. It affects the morale of the members very negatively”*.

“I think affirmative action should be phased out” (Anonymous respondent).

4.6 Summary

The SAPS is facing a mammoth task in respect of a plethora of issues involved in the implementation of affirmative action policy within the district of Pretoria. The main areas of concern regarding affirmative action policy were identified whereby it was established that the affirmative action policy of the SAPS is race based. There are few disabled people in the

SAPS hence in their strategic plan 2010–2014 they will strive to reach a target of 2% of the disabled people in that period. The SAPS also needs to ensure that the previously disadvantaged groups are appropriately trained to hold decision-making positions. Most of the respondents within the designated groups have expressed a huge dissatisfaction with the current promotion policy of the SAPS. Nepotism, tribalism and favouritism are cited as major reasons for people to be given positions which they do not deserve at the expense of competent, skilled, experience and qualified persons. There is also a degree of discontent about the monetary and non-monetary rewards offered by SAPS to the employees which could be cited as reason for the personnel leaving the organisation to other institutions. However, it is vital to bear in mind that just like other government institutions, the SAPS is expected to observe the national directives issued by the political office bearers.

Various strategies that are necessary for managing, preventing and eliminating unfair discrimination in recruitment and employment were identified and assessed. It has been found that interviews are regarded as suitable method for the allocation of promotions within the SAPS whereby members believe that it would be prudent if immediate supervisors are involved as part of the interview panels so as to make the necessary recommendations for qualifying members since they know their subordinates better. In order to be able to have supervisors and components heads as major decision maker in recruitment and employment the provincial office of the SAPS should decentralise those powers. Another important option of dealing with irregularities such as nepotism and favouritism is outsourcing the responsibility for recruitment, selection and appointment to an independent agency on which the respondents concur that it would work positively for the SAPS. The SAPS need to ensure that the affirmative action policy is appropriately monitored at all levels and that there is consultation with the employees whereby they can be able to express their concerns in respect of the policy. Diversity management programmes should be fully implemented by the SAPS in order to dispel negative resistance to the continued implementation of affirmative action policy.

The main criteria for identification of the beneficiaries of affirmative action are inconsistent and vague. Qualifications, experience and competencies of the people of all races are not considered as they should when they are employed to positions. The respondents are of the opinion that the current employment system is perverted to an extent that people from the historically disadvantaged groups are given positions without due consideration to their

capabilities, skills and knowledge of the job. The promotions within the SAPS are based on the number of years on current positions instead of qualifications and merits (performance and experience). Basically the respondents are not satisfied with the manner in which employment candidates are assessed for positions within the SAPS. However, it is a step in the right direction by the SAPS after adopting a new promotion policy which recognises the tertiary qualifications of the employees on 28 September 2011. Ultimately the SAPS members unequivocally proposed that the affirmative action policy of the SAPS be revised or alternatively be terminated and introduce the equal opportunity policy where people of all races will be able to compete for positions on equal basis. The following chapter concentrates on findings and discussion, conclusion and recommendations.

CHAPTER 5

FINDINGS, RECOMMENDATIONS AND CONCLUSION

5.1 Introduction

The data presentation and analysis dealt with in chapter 4 was based on the main research questions (see chapter 1 section 1.5). The research findings are more focused in line with the research objectives (see chapter 1 section 1.6). The first chapter provides an overall introduction to this study; chapter 2 focuses on the assessment of the literature based on affirmative action policy; chapter 3 reveals the research methods and techniques utilised in gathering information; chapter 4 presents the empirical data.

In this chapter the major findings of this research are presented with specific focus on the research objectives. It also provides a summary of the results of this research whereby conclusions are based on the results accompanied by recommendations.

5.2 Major findings

The findings are based on the main research question. The main research question is how does the South African Police Service (SAPS) implement affirmative action policy and address unfair discrimination in its personnel recruitment and selection processes? This chapter provides the findings in the light of the research objectives.

5.2.1 Objective 2: To identify challenges or problems encountered by the SAPS during the implementation of the affirmative action policy.

Respondents within the district of Pretoria think that the SAPS are attaching excessive value to race representation when applying affirmative action measures within the organisation (see figure 4.7). As a result the SAPS need to shift the focus from race representation and start considering the significance of competencies when appointing the previously disadvantaged people to positions. Dupper (2009:308) asserts that race based affirmative action creates small black elite who undeservedly benefit at the expense of the large group of blacks who are poor, unemployed, rural and young. Gawanas (1992:66) argues that the employment of

the historically disadvantaged individuals should be on the grounds of merit (performance and experience) and not only on the basis of skin colour or gender.

The researcher does concur with the arguments presented above and believes that affirmative action should be based on combination of factors and not just one variable. Emphasis should be on merit, qualification and race. This statement is based on the fact that people from historically disadvantaged groups should be given positions provided they are competent and qualified. The importance of race lies in the fact that it helps to identify the disadvantaged groups and not for allocation of positions. It should be realised that race based affirmative action creates tension since affirmative action practices in India have shown that people who belong to backward classes or disadvantaged groups were benefitting due to group status which resulted in serious abuse of the policy (Charlton & Van Niekerk 1994:40).

It is vital that the SAPS create an environment within which the previously disadvantaged groups can improve their educational levels and knowledge. Well-trained and qualified personnel from the historically disadvantaged groups will ensure that they are competent to take managerial positions within the organisation.

The respondents think that job requirements and responsibilities are seldom adjusted to accommodate the disabled people (see figure 4.9), which is against the purpose of the Employment Equity Act 55 of 1998. Section 15 subparagraph (a) and (c) of the above Act clearly states that affirmative action measures must eradicate employment obstacles with a view of accommodating people from the previously disadvantaged groups which should result in a diverse workforce that is equitably represented at all levels. In support of the above statement, Kellough (2007:77) states that the redistribution of opportunity is required in order to ensure that people who were excluded previously are no longer discriminated against. The SAPS have to take decisive steps to ensure the accelerated recruitment and appointment of disabled people and create a milieu within which they can work safely and optimally. Some members within the designated groups are dissatisfied with the manner in which affirmative action policy is implemented in the SAPS. According to Kellough (2007:7) when implementing affirmative action measures, preference should be given to the designated group members provided they are qualified for the positions.

The issue of communication of the affirmative action policy is seen as problematic by the respondents in the Pretoria region (see figure 4.12). The SAPS are portrayed violating the most vital justice theory that underpins affirmative action known as interactional justice. According to Masterson, Byrne and Mao (2005:79) interactional justice can be divided into two different dimensions: interpersonal and informational justice. Interpersonal justice refers to the degree to which the person is treated with respect and dignity (Chellandurai 2006:134). Informational justice refers to the degree to which enough information is honestly provided to explain procedures and the final results. Lack of proper communication of the affirmative action policy by the SAPS to its members could be considered as a serious violation of the informational justice. The respondents who do not know anything about affirmative action policy appear to be frustrated by the policy since they fail to comprehend its objects, procedures and the intended final outcomes of the policy. The SAPS probably needs to ensure that information flow freely from the top to the bottom and from the bottom upwards. According to Montesh (2010:64) the employment equity managers should ensure that all workers within an institution are informed about the contents of the Employment Equity Act 55 of 1998, which covers the application of affirmative action measures in the workplace.

Respondents hold a view that affirmative action does not discriminate against the non-designated groups (whites) in the SAPS (see figure 4.13) and this could have been influenced by the fact that African people are in the majority within the SAPS. However, Hersch (1993:180) maintains that discrimination is the process of reintroducing discriminatory policies in an attempt to eliminate their past impacts. Qunta (1995:22) argues that affirmative action cannot be depicted as discriminatory since discrimination has negative effects which lowers the persons' self-esteem and restricts their self-realisation. It is necessary to realise that the SAPS is just complying with the national policies of the current government which they cannot eschew.

Respondents raised a concern that affirmative action discriminates against certain groups within the disadvantaged groups (see figure 4.14). It has also emerged that some of the groups within the historically disadvantaged are given an unfair advantage over other groups. In the analysis of the implications of affirmative action policy in Malaysia, Sowell (2004:74–75) reveals that people who benefitted from preferential policies were not really disadvantaged, employment standards were compromised or lowered and employments were no longer based on merit but group status. In order to avoid a similar situation, the SAPS

need to decisively focus on training people from the designated groups and monitor their development.

Respondents indicated that unqualified people are given positions which they do not deserve at the expense of competent, skilled, experienced and qualified persons (see figure 4.15). The problem is attributed to ethical dilemmas such as nepotism and favouritism within the organisation. Similar challenges were experienced in Zimbabwe as Thomas (2002:248) cites. According to him black advancement programmes were accompanied by nepotism, tribalism, fraud and corruption. He further emphasises that the programme benefits the elite group who are vocal at the expense of the disadvantaged majority of the population. Singer (1993:137) recommends that in order to minimise the effects of tokenism, training programmes should be designed to curtail prejudice and discrimination within the organisation.

The fact that there is no specific date on which the implementation of the affirmative action policy is going to cease remains a matter of concern for the non-beneficiaries of the policy (see figure 4.16). The preferential policy of the SAPS does not have a specific set date on which the implementation of the policy is going to cease because it is national policy which has to be complied with by every government institution. Hermann (2007:55) believes that a continued implementation of affirmative action policy creates a feeling of alienation among the whites.

There is huge number of blacks who are holding non-commissioned positions within the SAPS (see figure 4.17) not because they do not qualify but due to the current promotion policy they remain in their current positions for more than ten years without promotions. This problem could probably be resolved by the newly adopted promotion policy which requires members to stay on their current positions for a minimum of two years before consideration for promotion. The introduction of new or additional ranks (lieutenant and major) is seen as a step backward for the SAPS in the pursuit of race representation because that had not yet been accomplished in terms of the previous rank structure of the organisation (see figure 4.18). Since the new ranks were introduced in 2010 by General Bheki Cele, the SAPS have to comply with instructions of their political head. Dissatisfaction with monetary and non-monetary rewards account for members leaving the organisation to look for greener pastures elsewhere (see figure 4.19). The SAPS need to review their scarce skills policy in order to

ensure that they do not lose skilled, experienced and knowledgeable people in areas which are not identified in terms of the scarce skills policy.

The affirmative action policy of the SAPS adheres to the strict regulatory or legislative directives (see figure 4.20). It is pivotal for the South African Police Service to strive not only towards attaining figures in terms of race or gender but a proper analysis of the person's potential, merit and qualification should be conducted thoroughly. The main idea is that underperformance by an organisation due to incompetent and unqualified staff leads to a situation where service delivery starts to suffer in the hands of affirmative action.

5.2.2 Objective 3: To propose strategies through which SAPS can manage, prevent and address unfair discrimination in personnel staffing processes

Respondents are confident that interviews are vital solutions to the irregularities within the SAPS in relation to promotional positions (see figure 4.21). In addition, respondents believe that immediate supervisors of the employees must be involved in selecting individuals for promotions (see figure 4.22). They are of the opinion that supervisors should form part of the interview panels on the grounds that they know their members better than any other person. The provincial office of the SAPS has to relinquish the powers to employ and delegate such powers to the station and component heads. Respondents are positive that when selection and appointment are conducted by an independent agency on behalf of the SAPS the outcomes would be fair enough since members believe that they will be assessed based on uniform and bias free standards (see figure 4.23). They also express their discontent as they think that external applicants are given priority for vacant positions ahead of internal qualified and experienced applicants (see figure 4.24). Duba (1992:28) asserts that for affirmative action to be effective there is a need for an organisation to advance internal employees instead of recruiting from outside.

Respondents indicate that SAPS do not have proper systems in place to ensure that affirmative action policy is effectively monitored at all levels within the organisation (see figure 4.25). It is necessary for the SAPS to establish functional monitoring systems for the implementation of preferential policy measures at all levels. According to Faundez (1994:46) the appropriate monitoring systems and procedures will lead to corrective steps necessary for

developing more realistic goals and these should make it possible for the top management to evaluate the impact of the affirmative action policy on workers and the organisation.

It appears that the SAPS does not fully engage with the employees on issues relating to affirmative action policy, hence employees complain that they are not granted the opportunity to express their views (see figure 4.26). The SAPS needs to establish clear communication channels with the employees at the grassroots level. Doverspike, Taylor and Arthur Jr. (2006:179) indicate that consultation with the employees and giving them the opportunity to express their concerns breeds trust and respect. They also point out that consultation creates a feeling of participation and control over the process by organisational leaders. Montesh (2010:65) points out that it is the task of the employment manager to ensure that corrective steps are identified and that the above issues are well addressed.

Respondents hold the view that training and development programmes of the organisation do not prepare junior employees for future higher positions (see figure 4.27). In order for training and development to be effective for junior employees the SAPS should ensure that junior employees are presented with the opportunity to attend internal courses offered at management levels. It would be more appropriate if the SAPS could decentralise powers relating to training and development to the station levels and units in order to enable them to identify the training needs for their member and send them for training.

The SAPS are doing well in terms of ensuring that employees of all races are integrated into the organisation after employment through induction process (see figure 4.29). However, the organisation fails to maintain or sustain integration since respondents believe that diversity management programmes are not fully implemented by the SAPS to support the affirmative action policy (see figure 4.30). Human (1993:71) asserts that the management of diversity forms an integral part of managing people and is pivotal for the effectiveness of affirmative action policy. Tomasson, Crosby, and Hertzberger (1996:74–75) state that having hired a diverse workforce does not guarantee success and good news, hence it remains crucial to acclimatise new employees, monitor their advancement, retention and ensure that non-designated groups are correctly integrated.

Resistance to affirmative action could be due to lack of justification for the policy which results in unfair discrimination of the non-beneficiaries (see figure 4.31). This statement is

evoked by the absence of clear communication channels between SAPS and its members on issues relating to affirmative action whereby the continued implementation of the policy could be given and justified. It seems that consultation with the employees is not sufficiently effective.

5.2.3 Objective 4: To assess and describe the criteria utilised by the SAPS in identifying the beneficiaries of affirmative action policy.

People of all races are not employed to positions on the basis of their qualifications, experience and competencies as they deserve (see figure 4.32). As pointed out in the previous section the situation could be attributed to the pervasive recruitment and appointment irregularities within the SAPS. The SAPS are depicted as contravening another important justice theory which is procedural justice. Procedural justice is based on the consideration to the aspects of the policy utilised to make decisions about employment resources (Doverspike et al 2006:25). The SAPS are also seen as transgressing three vital principles underlying procedural justice: consistency, bias suppression and ethicality. The statement is based on the fact that employment procedures are not uniformly applied to every person; people vested with the authority to employ fail to remove their personal interest and influence in the employment processes; and the employment processes are diverted from proper ethical and moral standards of the society.

Respondents indicate that female applicants are given preference for positions ahead of their male counterparts irrespective of their qualifications within the SAPS (see figure 4.33) which could be seen as having been influenced by the fact that males are dominant in the organisation. However, Clayton and Crosby (1992:105) state that affirmative action principles become perverted when the policy is utilised to absorb unqualified and incompetent people into the organisation. Respondents believe that employment standards are compromised in order to accommodate unqualified women in the organisation, which could be perceived as unfair and a deliberate breach of distributive justice. Distributive justice is concerned with the fair allocation of resources within the society, like employment opportunities (Capeheart & Milovanovic 2007:29). The SAPS needs to develop and maintain clear and uniform standards when applying affirmative action measures.

Respondents think that the degree to which an individual has been disadvantaged (socio-economic background) must be taken into consideration when applying affirmative action measures in employment (see figure 4.34). A step in that direction would ensure that those who are from poor socio-economic background get a fair advantage over those who were privileged. In support of this idea, Dupper (2009:302) states that it is significant to take into consideration the magnitude of disadvantage suffered by women, Indians, coloureds, Africans and the disabled people in the process of implementing the affirmative action measures. Hermann (2007:43–44) accentuates the importance of examining the socio-economic background of those who are expected to benefit from affirmative action policy.

The current affirmative action policy of the SAPS does not take merit (performance and experience) into consideration (see figure 4.35). Doverspike et al (2006:172) indicate that organisations should place emphasis on merits and competencies of the beneficiaries of affirmative action which will help in reducing resistance from those who oppose the policy. There is also a persistent belief among the respondents that affirmative action affords employment opportunities to the previously disadvantaged groups without due regard to their capabilities, skills, and knowledge of the job (see figure 4.36). Respondents cite nepotism, tribalism and favouritism as the main contributing factors to the current problems. Kellough (2007:89) recommends that in situations where affirmative action benefits unqualified people, corrective measures should be adopted instantly instead of abrogating the policy.

Respondents hold the belief that positions are given to persons from the historically disadvantaged groups merely to satisfy the race and gender representation criteria (see figure 4.37). The belief could be brought about by perceived irregularities in employment within the organisation. Faundez (1994:35) states that race as a major factor for eligibility in as affirmative action beneficiaries evokes debate over the continued implementation of the policy. Respondents also indicate that the SAPS does not consider the academic qualifications as a criterion in the allocation of promotions (see figure 4.38) which creates an opportunity for abuse. Instead more emphasis is placed on the number of years on the current rank or position in order to qualify for promotion while skills, experience, performance and qualification are disregarded (see figure 4.40). In addition, differentiating within the designated groups cause frustrations among the beneficiaries of the affirmative action (see figure 4.39). Frustrations could be seen as the disgruntlement with the current promotion policy of the SAPS. Qunta (1995:19) suggests that although white females are the

beneficiaries of affirmative action, preference should be given to suitably qualified and competent black women. This argument should also be understood to suggest that under no circumstances should an unqualified black person be preferred instead of suitably qualified and experienced white females.

A great majority of respondents think that it is vital for SAPS to revise the current affirmative action policy in order to deal with the immediate challenges (see figure 4.41). It is also in their interest to see the policy being phased out and have an equal opportunity policy whereby people of all races will compete on equal basis for vacant posts (see figure 4.42). Mello and Phago (2007:151) emphasise the importance of scraping out the affirmative action policy in areas where equity has been attained.

5.3 Recommendations

The SAPS should ensure that the previously disadvantaged groups are appropriately trained and qualified in order to perform in higher positions. As the SAPS are striving to attain a target of 2% of the disabled people within the organisation, it is imperative that they create an environment within which the disabled people would be able perform their duties optimally or conveniently. The communication of affirmative action policy should allow the flow of information from the top to the bottom and from bottom to the top with minimal complications.

The SAPS needs to review their retention policy or scarce skills policy in order to minimise the exodus of experienced and knowledgeable people from the organisation, especially in areas not identified in terms of the scarce skills policy of 2004. In addition, it is pivotal for the SAPS to reconsider the value of the monetary and non-monetary rewards awarded to employees for their hard work. There should be clear criteria in terms of what is considered as extra effort worthy of monetary and non-monetary reward for employees.

Interviews should be used for promotional positions whereby the interview panel should be composed of the immediate supervisors of the employees. The provincial office of the SAPS should devolve the powers to employ to the individual stations and units in order to enable the commanders to select and appoint experienced, qualified and deserving people to positions. The SAPS would have to appoint a special team that should be tasked with

monitoring the successful implementation of affirmative action policy in areas and components within the organisation.

The SAPS also needs to relinquish the provincial office of the powers to remotely select employees who should undergo further training and development within the organisation. Instead the stations should be given the authority to identify training needs of their employees and send them for training courses according to their plan. Diversity management programmes should be fully implemented and supported at the station level.

Qualifications, experience, skills and performance should play a significant role in affirming the historically disadvantaged people to positions from which they were previously excluded. It is necessary for the SAPS to review their current affirmative action policy as evidence suggests a certain degree of dissatisfaction.

There is a need to conduct research in order to explain and understand the low number of women, coloureds and Indians in the SAPS within the district of Pretoria. In addition, the significance and intricacies of affirming women into managerial positions within the SAPS needs to be thoroughly investigated.

5.4 Conclusions

This study was conducted in the SAPS within the district of Pretoria and the findings apply to the region mentioned above. It is also critical to undertake similar research in other regions other than making a generalisation of the findings in those areas which were not covered by the research. The study was intended to enlighten the employment managers, recruiters, supervisors and personnel practitioners on implementation of affirmative action policy.

Among the main findings is that the respondents are dissatisfied with the manner in which affirmative action policy is being implemented in the district of Pretoria. Merits and qualifications are singled out as the crucial prerequisites for positions which appear not to be taken serious when affirming the historically disadvantaged groups into positions from which they were previously excluded. However, it would be interesting to see the SAPS taking extra efforts to train and develop the previously disadvantaged groups. It would be an ideal

situation if the SAPS would devolve the training and development authority to the individual stations in order to allow them to decide on the training needs of their members.

The respondents express concerns and dissatisfaction with the current promotion criteria. As a result the respondents suggest that interviews should be utilised in the allocation of promotions whereby the immediate supervisors of the employees should form part of the interview panels. This can be effectively realised if the powers to recruit, select and appoint are devolved to the stations and units or components. It is critical for the SAPS to ensure that the implementation of the affirmative action policy is monitored at all levels.

There is a disgruntlement among the respondents with the training and development policy of the SAPS as it is perceived as not contributing to the empowerment of the junior employees. According to respondents it is necessary for the SAPS to review the current affirmative action policy.

Similar studies have been conducted by Masiloane (2001) and Montesh (2010) regarding the implementation of affirmative action within the SAPS. Some of the research findings appear to be similar but they are distinguished in approach. In areas and issues where the SAPS are experiencing some insurmountable challenges it is necessary to consider such challenges against the background of the national policy on affirmative action or gender equality which they cannot override or ignore.

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Faculty of Economic and Management Sciences
Department of Public Administration and Management

Title of the study:

The implementation of the Affirmative Action Policy in Pretoria District of the South African Police Service

Dear respondent

You are invited to participate in an academic research study conducted by Mr P Hlongwane (South African Police Services), a master's candidate at the University of South Africa.

The purpose of the study is to determine your opinion and knowledge on the implementation of the affirmative action policy within the South African Police Service. The information gathered will provide better comprehension of how the employees within the South African Police Service think about the implementation of affirmative action policy.

Please note the following:

- This study involves an anonymous survey. Your name will not appear on the questionnaire and the answers you give will be treated as strictly confidential. You cannot be identified based on the answers you give. [Kindly note that consent cannot be withdrawn once the questionnaire is submitted as there is no way to trace the particular questionnaire that has been filled out.]
- Your participation in this study is very important to us. You may, however choose not to participate and you may also stop from participating at any time without negative consequences.
- Please answer the questions in the attached questionnaire as completely and honestly as possible. This should not take more than 15 minutes of your time.
- The results of the study will be used for academic purposes only and may be published in an academic journal. We will provide you with a summary of our findings on request.
- You can contact me Mr Hlongwane Paulus at dvdset@yahoo.com , if you have any questions or comments regarding the study.

ANNEXURE A:
QUESTIONNAIRE

SECTION A: BIOGRAPHICAL DATA

Please indicate the following

1. Gender

Male	Female
------	--------

2. Race

1 Black	2 Coloured	3 Indian	4 White
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3. Rank

1 S/cst	2 Cost	3 Sgt	4 W/O	5 Lieutenant	6 Capt	7 Major	8 Lt. Colonel	9 Colonel
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4. Length of service at the South African Police Service.

1 0–5 years	2 6–10 years	3 11–15 years	4 16–20 years	5 +20 years
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5. Component in which you are placed.

1. Crime prevention	2 Administration	3 Crime investigation	4 CSC	5 POPS	6 Crime intelligence	7 VIP protection	8 Flying squad
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6. Academic qualifications

1 Matric	2 Certificate	3 Diploma/degree	4 Post-graduate qualification
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SECTION B: CHALLENGES RELATED TO THE IMPLEMENTATION OF AFFIRMATIVE ACTION

Please indicate the extent to which you agree or disagree with the following statements. Do you (1) strongly disagree; (2) disagree; (3) are uncertain; (4) agree; or (5) strongly agree?

1. The SAPS Affirmative Action Policy emphasises race representation within the organisation and promotes efficiency.

1	2	3	4	5
---	---	---	---	---

2. I believe there are few persons from previously disadvantaged groups qualified to take managerial positions.

1	2	3	4	5
---	---	---	---	---

3. Job requirements and responsibilities are seldom adjusted to accommodate disabled people.

1	2	3	4	5
---	---	---	---	---

4. I think affirmative action is a barrier to qualified male job applicants within the South African Police service (SAPS).

1	2	3	4	5
---	---	---	---	---

5. Affirmative action hinders promotional opportunities for white males.

1	2	3	4	5
---	---	---	---	---

6. The affirmative action goals of the SAPS are clearly communicated or explained to every employee.

1	2	3	4	5
---	---	---	---	---

7. Affirmative action policy of the SAPS unfairly discriminates against the non-designated groups (whites).

1	2	3	4	5
---	---	---	---	---

8 I believe affirmative action discriminates against certain groups within the previously disadvantaged groups.

1	2	3	4	5
---	---	---	---	---

9. I think that unqualified people are given positions which they do not deserve at the expense of competent, skilled, experienced and qualified persons.

1	2	3	4	5
---	---	---	---	---

10. The fact that there is no specific date on which preferential treatment is going to cease frustrates the non-beneficiaries of affirmative action policy.

1	2	3	4	5
---	---	---	---	---

11. Black people are over represented in non-commissioned positions.

1	2	3	4	5
---	---	---	---	---

12. I believe that the introduction of additional or new ranks (lieutenant and major) will create further problems in the pursuit of representation.

1	2	3	4	5
---	---	---	---	---

13. Most of the people who leave the SAPS do so because of lack of job satisfaction (lack of achievement, recognition, growth potential) and insufficient salary.

1	2	3	4	5
---	---	---	---	---

14. The affirmative action policy of the SAPS adheres to the strict regulatory/legislative directives which are over emphasised.

1	2	3	4	5
---	---	---	---	---

SECTION C: STRATEGIES OF MANAGING, PREVENTING AND ELIMINATING UNFAIR DISCRIMINATION

1. Interviews should be conducted for every promotional position.

1	2	3	4	5
---	---	---	---	---

2. I think the immediate supervisors of employees or line managers must be involved in selecting individuals for promotional positions.

1	2	3	4	5
---	---	---	---	---

3. I am of the opinion that selection and appointment should be conducted by an independent agency on behalf of the SAPS.

1	2	3	4	5
---	---	---	---	---

4. External applicants are given priority for vacant positions ahead of internal qualified and experienced applicants.

1	2	3	4	5
---	---	---	---	---

5. I do not think the effectiveness of the affirmative action policy is continuously monitored at all levels within the SAPS.

1	2	3	4	5
---	---	---	---	---

6. Employees of the SAPS are given the opportunity to express their views with regard to the application of affirmative action policy.

1	2	3	4	5
---	---	---	---	---

7. Training and development programmes of the SAPS do not prepare junior employees for future higher positions.

1	2	3	4	5
---	---	---	---	---

8. I think the South African Police Service values internal training which is not intensified and completely ignore external education.

1	2	3	4	5
---	---	---	---	---

9. Employees of all races are integrated into the organisation (SAPS) after every employment through induction.

1	2	3	4	5
---	---	---	---	---

10. Diversity management programmes are not fully implemented by the SAPS to support affirmative action policy.

1	2	3	4	5
---	---	---	---	---

11. Resistance to affirmative action is due to a lack of justification for the policy which results in unfair treatment of non-beneficiaries.

1	2	3	4	5
---	---	---	---	---

SECTION D: CRITERIA FOR IDENTIFYING BENEFICIARIES OF AFFIRMATIVE ACTION

1. People of all races are employed to positions on the basis of their qualifications, experience and competencies as they deserve.

1	2	3	4	5
---	---	---	---	---

2. Female applicants are given preference for positions ahead of their male counterparts irrespective of their qualifications and experience.

1	2	3	4	5
---	---	---	---	---

3. The degree to which an individual has been disadvantaged (socio-economic background) must be taken into consideration when applying affirmative action measures in employment.

1	2	3	4	5
---	---	---	---	---

4. I think the current affirmative action policy of the SAPS does not take merit/experience of job applicants into consideration.

1	2	3	4	5
---	---	---	---	---

5. Affirmative action affords employment opportunities to the previously disadvantaged groups without due regard to their capabilities, skills and knowledge of the job.

1	2	3	4	5
---	---	---	---	---

6. Positions are given to persons from previously disadvantaged groups merely to satisfy race and gender representation criteria.

1	2	3	4	5
---	---	---	---	---

7. The SAPS does not consider the academic achievements (formal qualifications) as a criterion for promotional positions.

1	2	3	4	5
---	---	---	---	---

8. I think differentiating within the designated groups causes frustrations among the beneficiaries of affirmative action.

1	2	3	4	5
---	---	---	---	---

9. Promotional employments are based on the number of years on the current rank and not based on skills, experience and qualifications.

1	2	3	4	5
---	---	---	---	---

10. I believe that it is necessary to revise the current affirmative action policy of the SAPS.

1	2	3	4	5
---	---	---	---	---

11. I think affirmative action should be phased out and the equal opportunity policy implemented where people of all races will be protected and fairly treated.

1	2	3	4	5
---	---	---	---	---

SECTION E: COMMENTS

You are welcome to write your comments with regard to the questionnaire or any important information below.

Thank you for participating!

ANNEXURE B:

**LETTER OF PERMISSION TO CONDUCT A RESEARCH IN THE
SOUTH AFRICAN POLICE SERVICE WITHIN THE PRETORIA
DISTRICT**

SUID-AFRIKAANSE POLISIEDIENS



SOUTH AFRICAN POLICE SERVICE

Ref: 3/34/2 (201100007)

1 September 2011

The Provincial Commissioner
South African Police Service
GAUTENG

RESEARCH PROPOSAL: THE IMPLEMENTATION OF AFFIRMATIVE ACTION POLICY WITHIN PRETORIA DISTRICT OF THE SOUTH AFRICAN POLICE SERVICE.


1. Cst. Hlongwane is stationed at Sunnyside and studying Masters degree in Public Administration with the University of South Africa.
2. The topic of the research study is the Implementation of affirmative action policy within Pretoria district of the South African Police Service in Gauteng.
3. The aim of the researcher is to describe and explore strategies through which the South African Police Service promote affirmative action measures and eliminate unfair discrimination.
4. The objectives of this study are:-
 - to unravel the theoretical background of affirmative action policy and discrimination;
 - to analyze challenges or problems encountered by SAPS during implementation of affirmative action policy.
 - to identify ways and strategies through which SAPS can manage, prevent and eliminate discrimination in personnel staffing process;
 - to describe and assess the type of affirmative action contemplated by the SAPS in personnel selection.
5. The research will pose the following questions when conducting the research:-
 - what is the theoretical background of affirmative action and discrimination;
 - what are the current challenges or problems encountered by the SAPS in implementing affirmative action policy;
 - how does the SAPS manage, prevent and eliminate discrimination in personnel recruitment and selection; and
 - which criteria are utilized by the SAPS to identify and select the beneficiaries of affirmative action?

RESEARCH PROPOSAL: THE IMPLEMENTATION OF AFFIRMATIVE ACTION POLICY WITHIN PRETORIA DISTRICT OF THE SOUTH AFRICAN POLICE SERVICE

6. Data will be collected through direct observation or literature study, interviews and survey questionnaires. All interviews will be recorded. See attached questionnaire. Official documents such as annual and statistical reports as well as personnel files will be consulted. Printed and audio will be used as additional source of data that will also be integrated into initial findings. Comparison, examination and integration of information obtained through other measures during research will conclude the data collection phase.
7. The value of the study is that it will establish affirmative action policy and eliminate unfair discrimination.
8. The application is recommended according to the National Instruction of 1/2006.

COMMENT

Application recommended and to be coordinated through the Personnel Management Office.



PROVINCIAL COMMANDER: STRATEGIC MANAGEMENT: GAUTENG
P.S. NAICKER
2 Sept 2011

COLONEL

PROVINCIAL COMMANDER: STRATEGIC MANAGEMENT: GAUTENG

P.S. NAICKER

2 Sept 2011

COMMENT

recommended in line with Brig Banks entry
dated 2011/02/19 as attached in SAPS 5.



PROVINCIAL HEAD: ORGANIZATIONAL DEVELOPMENT AND STRATEGIC
MANAGEMENT: GAUTENG
SJ PHETO
20 Sept 2011

BRIGADIER

PROVINCIAL HEAD: ORGANIZATIONAL DEVELOPMENT AND STRATEGIC
MANAGEMENT: GAUTENG

SJ PHETO

20 Sept 2011

RESEARCH PROPOSAL: THE IMPLEMENTATION OF AFFIRMATIVE ACTION
POLICY WITHIN PRETORIA DISTRICT OF THE SOUTH AFRICAN POLICE
SERVICE

APPROVED / ~~NOT APPROVED~~



DEPUTY PROVINCIAL COMMISSIONER: OPERATION OFFICER: GAUTENG
NP MASIYE

30 Sept 2011

MAJOR GENERAL